80-6657

CASE NO. _____

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SUPREME COURT, U.S.

IN THE SUPREME COURT
OF THE UNITED STATES

OCTOBER TERM, 1980

JAMES E. PATTERSON,
APPELLANT,
VS.

HANS SCHACHT, OTIS ABERNATHY, JAMES LEWIS, RALPH JOHNSON, NEIL GUNTER, WESLEY BOYD, KENNETH GORDON, THEODORE FRANKEL, AND JOHN HINCHEY.

ON APPEAL FROM THE FIFTH CIRCUIT COURT
OF APPEALS

JURISDICTIONAL STATEMENT

James E. Patterson
JAMES E. PATTERSON, PRO SE
1004 VERNON STREET
LAGRANGE, GEORGIA 30240
[404]882-8533

IN UNITED STATES SUPREME COURT
WASHINGTON, D.C.

JAMES E. PATTERSON, PETITIONER

V.

OTIS ABERNATHY, JAMES LEWIS, KENNETH GORDON, THEODORE FRANKEL, HANS SCHACHT(SHOT), JOHN HINCHEY, WESLEY BOYD, NEIL GUNTER & RALPH JOHNSON AND ALL BONDING COMPANIES COVERING ABOVE RESPONDENTS
RESPONDENTS

C.A.NO.79-106-N

JAMES E. PATTERSON, PETITIONER

V.

OTIS J. ABERNATHY, JAMES LEWIS, KENNETH GORDON, THEODORE FRANKEL HANS J. SCHACHT, JOHN HINCHEY, NEIL GUNTER, WESLEY BOYD, RALPH JOHNSON, WILLIAM E. HOFFMAN, JR., & JEFFERY SMITH, & DISTRICT FEDERAL COURT FOR NORTHERN DISTRICT OF GEORGIA
RESPONDENTS

C.A.NO.80-1236-A

PETITION FOR ALLOWANCE OF AN APPEAL

PETITION IS HEREBY MADE BY JAMES E. PATTERSON, PRO SE, 1004 VERNON STREET, LAGRANGE, TROUP COUNTY, GEORGIA, 30240 FOR ALLOWANCE OF AN APPEAL FROM THE JUDGMENT OF THE DISTRICT FEDERAL COURT FOR NORTHERN DISTRICT OF GEORGIA ENTERED ON OCTOBER 21, 1980 FINDING PETITIONER AS GUILTY OF CIVIL CONTEMPT WITHOUT AFFORDING HIM EITHER COUNSEL OR A TRIAL AND FROM THE FIFTH CIRCUIT COURT OF APPEALS ORDER ENTERED ON JANUARY 28, 1981 AFFIRMING THAT DISTRICT COURT ORDER IN FAVOR OF ALL ABOVE RESPONDENTS.

PETITIONER ADVISES THAT THE FIFTH CIRCUIT COURT OF APPEALS DID - AFFIRM THE DISTRICT COURT'S ORDER BY REFUSING TO GRANT US SECURED SIXTH AMENDMENT RIGHTS TO COUNSEL AND A SPEEDY TRIAL ON PENDING -- CIVIL CONTEMPT CHARGES AND BY REFUSING TO ENTER A RULING REVELANT TO EX PARTE MOTION TO DISMISS CASE NO. C80-1236-A.

PETITIONER FURTHER INFORMS THIS COURT THAT THE DISTRICT COURT ORDER MUST BE READ WITH INTENT IN WHICH IT IS WORDED TO DETERMINE THAT THE DISTRICT COURT NEVER INTENDS TO AFFORD US A CIVIL CONTEMPT TRIAL IN THAT COURT "BEMOANS "THE FACT THAT IT LACKS THE POWER TO ENFORCE ITS INJUNCTIVE SUPPRESSION ORDERS WHICH IS NOT TRUE IF SAID ORDER IS VALID AND IF THE COURT IS WILLING TO TRY US FOR HAVING VIOLATED ITS "INJUNCTIVE SUPPRESSION ORDER" SEE, EXHIBITS NOS. 1 & 2.

RESPECTFULLY SUBMITTED,

DATED: 3-6-81.

James Patterson
JAMES E. PATTERSON, PRO SE
LAGRANGE, GEORGIA 30240

IN THE UNITED STATES SUPREME COURT
WASHINGTON,D.C.

JAMES E.PATTERSON,PETITIONER

V.

OTIS ABERNATHY,RALPH JOHNSON, JAMES E.LEWIS,KENNETH GORDON, THEODORE FRANKEL,JOHN HINCHEY, HANS J.SCHACHT,NEIL GUNTER & WESLEY BOYD.

RE: C.A.NO.79-106-N

OTIS ABERNATHY,RALPH JOHNSON, JAMES LEWIS,THEODORE FRANKEL, KENNETH GORDON,HANS J.SCHACHT, JOHN HINCHEY,NEIL GUNTER,WESLEY BOYD & THE UNITED STATES DISTRICT COURT -NORTHERN DISTRICT OF GA.

RE: C.A.NO.80-1236-A

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

COMES THE PETITIONER,JAMES E.PATTERSON,PRO SE,AND MOVES THIS COURT FOR LEAVE TO PROCEED IN THIS ACTION IN FORMA PAUPERIS PURSUANT TO 28 U.S.C. # 1915 WITHOUT FIRST BEING REQUIRED TO PREPAY FEES AND THE COSTS OR OTHERWISE BEING REQUIRED TO GIVE SECURITY THEREFOR.IN SUPPORT OF THIS MOTION PETITIONER,PRO SE,HAS ATTACHED HIS AFFIDAVIT OF POVERTY HERETO.

THE UNITED STATES SUPREME COURT NOT ONLY HAS THE POWER TO CONSIDER THIS MOTION FOR RELIEF FROM A CORRUPTED FEDERAL DISTRICT COURT BUT IT IS THE SWORN DUTY OF THIS COURT TO KEEP THE DIDTRICT COURTS FREE OF JUDGES KNOWN TO BE GUILTY OF MALFEASANCE IN OFFICE.28 U.S.C. # 1253.

THE COURT SHOULD PERMIT THIS APPEAL IN FORMA PAUPERIS ON THE GROUNDS THAT INJUNCTIVE RELIEF GRANTED TO THE DEFENDANTS THAT IS NOT BASED ON EITHER SWORN AFFIDAVITS OR EVIDENCE DEDUCED AT A HEARING IS UNCONSTITUTIONAL. 28 U.S.C.# 1253.MC LUCAS V.DECHAMPLAIN (1975) 421 US 21,95 SCT 1365,43 LE2D 699.

RESPECTFULLY SUBMITTED,

James Patterson

JAMES E.PATTERSON,PRO SE
1004 VERNON STREET
LAGRANGE,GEORGIA 30240
(404) 882-8533

DATED: 3-6-81.

IN UNITED STATES SUPREME COURT
WASHINGTON,D.C.

JAMES E.PATTERSON,PETITIONER

V.

OTIS ABERNATHY,JAMES LEWIS,KENNETH GORDON,THEODORE FRANKEL,HANS SCHACHT,WESLEY BOYD,NEIL GUNTER, RALPH JOHNSON,AND ALL BONDING COMPANIES COVERING THE ABOVE RESPONDENTS

C.A.NO.79-106-N

RESPONDENTS

JAMES E.PATTERSON,PETITIONER

V.

OTIS ABERNATHY,JAMES* LEWIS, * KENNETH GORDON,THEODORE FRANKEL,* *HANS J.SCHACHT,JOHN HINCHEY, NEIL GUNTER,WESLEY BOYD,RALPH JOHNSON, WILLIAM E.HOFFMAN,JR.,JEFFERY SMITH, & DISTRICT FEDERAL COURT FOR NORTHERN DISTRICT OF GEORGIA. *= LAWYER.

AFFIDAVIT SUPPORTING PETITION FOR LEAVE TO

APPEAL IN FORMA PAUPERIS

I,JAMES E.PATTERSON,BEING FIRST DULY SWORN,DEPOSE AND SAY THAT I AM THE PETITIONER IN THE ABOVE-ENTITLED CASES; THAT IN SUPPORT OF MY PETITION TO PROCEED ON APPEAL WITHOUT BEING REQUIRED TO PREPAY FEES COSTS OR GIVE SECURITY THEREFOR,I STATE THAT BECAUSE OF MY POVERTY I AM UNABLE TO PAY THE COSTS OF SAID PROCEEDING OR TO GIVE SECURITY THEREFORE; THAT I BELIEVE I AM ENTITLED TO REDRESS; AND THE ISSUES WHICH I DESIRE TO PRESENT ON APPEAL ARE THE FOLLOWING:

1. THE FEDERAL JUDICARY CONSPIRACY EMPLOYED SINCE 1977 BY THE DISTRICT AND APPEALS COURT WITH STATE EMPLOYEES AND PRIVATE CITIZENS TO DENY THIS PRO SE THE DUE ADMINISTRATION OF JUSTICE.

2. WHEN FOUR (4) DISTRICT COURT JUDGES BECOMES INVOLVED IN A --- FEDERAL JUDICARY CONSPIRACY TO COVER UP FOR ANOTHER FEDERAL JUDGE ,WHO IS GUILTY OF MALFESANCE IN OFFICE,IT IS TIME FOR THIS COURT TO DEMONSTRATE TO THE FIFTH CIRCUIT COURT OF APPEALS THAT THIS COURT DOES NOT CONDONE SUCH FRAUDULENT CONDUCT EVEN IF THAT COURT DOES, AND "IT" DOES SO CONDONE.

1. ARE YOU PRESENTLY EMPLOYED?
   (a) NO.

1. (b) IF ANSWER IS NO, STATE DATE OF LAST EMPLOYMENT AND THE AMOUNT OF THE SALARY AND WAGES RECEIVED?

   (a) LAST EMPLOYMENT SCHOOL YEAR 1975-1976 WITH ANNUAL --- SALARY OF $ 15,000.00 PER YEAR. SCHOOL SOCIAL WORKER.

2. HAVE YOU RECEIVED WITHIN THE PAST TWELVE MONTHS ANY INCOME FROM A BUSINESS, PROFESSION OR OTHER FORMS OF SELF EMPLOYMENT, OR IN THE FORM OF RENTS, INTEREST, DIVIDENDS, OR OTHER SOURCE?

   (a) RECEIVE $ 496.30 PER MONTH DISABILITY INSURANCE FROM - THE SOCIAL SECURITY ADMINISTRATION.

3. DO YOU OWN ANY CASH OR CHECKING OR SAVINGS ACOUNT?

   (a) NO SAVINGS ACCOUNT. LESS THAN $ 100.00 IN CHECKING ACCOUNT.

4. DO YOU OWN ANY REAL ESTATE, STOCKS, BONDS, NOTES, AUTOMOBILES, OR OTHER VALUABLE PROPERTY.

   (a) ONLY OWN A 1948 FORD AND A 1968 CHEVROLET.

5. LIST THE PERSONS WHO ARE DEPENDENT UPON YOU FOR SUPPORT AND STATE THEIR RELATIONSHIP WITH YOU.

   (a) I SHARE THE EXPENSES FOR THE HOME IN WHICH I RESIDE WITH MY SINGLE SISTER, WHO IS UN-EMPLOYED DUE TO A HEART CONDITION.

I UNDERSTAND THAT A FALSE STATEMENT OR ANSWER TO ANY QUESTIONS IN THIS AFFIDAVIT WILL SUBJECT ME TO THE PENALTY FOR PERJURY.

James Patterson
JAMES E. PATTERSON

SUBSCRIBED AND SWORN TO BEFORE ME THIS 2 DAY OF March 1981.

Sherry Pruett
NOTARY PUBLIC

My Commission Expires Aug. 21, 1981.

QUESTIONS PRESENTED

1. DID THE FIFTH CIRCUIT COURT OF APPEALS ERR AS A MATTER OF LAW IN HOLDING THAT THE DISTRICT FEDERAL COURT HAD THE POWER TO ISSUE A PERMANENT INJUNCTION AGAINST THIS APPELLANT IN THE ABSENCE OF ANY AFFIDAVIT(S) OR TESTIMONY OR AN ORAL HEARING AS MANDATED BY FED R CIV P RULES 65(a)(1) & 65(b)?

2. DID THE FIFTH CIRCUIT COURT OF APPEALS ERR BY HOLDING IN EFFECT THAT THE GEORGIA PROFESSIONAL PRACTICES COMMISSION (COMMISSION) COULD CONVICT THIS APPELLANT AS THE AUTHOR OF "INSURBORDONATE" LETTERS CLAIMED TO BEAR OUR SIGNATURES, BUT WHICH APPELLANT HAS NEVER BEEN CONFRONTED WITH ON CROSS-EXAMINATION, NOR VIA ANY OTHER MEANS? SEE, RALPHO V.BELL, FOR RIGHT TO "MEET AND REBUT EVIDENCE UTILIZED BY AN ADMINISTRATIVE AGENCY" WHICH THE COMMISSION IS. U.S.C.A.CONST. CONST.AMENDS.5-6-14-RALPHO V.BELL,(D.C.D.C.1977) 569 F.2D 607,186 U.S.APP.D.C.368,ON REHEARING 569 F.2D 636,186 U.S.APP.D.C.397.

3. WHEN A PERSON IS CONVICTED AS THE AUTHOR OF "INSURBORDONATE - LETTERS, BUT DENIED THE DUE PROCESS RIGHT OF CONFRONTATION ON CROSS-EXAMINATION DOES THAT FACT SHOW THAT THE CONVICTED AUTHOR'S COUNSEL USED HIM FOR COUNSEL'S OWN PERSONAL FINANICAL GAIN?

4. IF THE ACT OF TRYING TO FILE C.A.NO.80-1236-A WAS A VIOLATION OF AN INJUNCTIVE CLAUSE TACKED ON TO DISMISSAL ORDER NO.C79-106-N, IN CLEAR VIOLATION OF FED R CIV P RULE 65(b),AS CLAIMED BY THE DISTRICT COURT IN ORDERING US TO SHOW WHY WE WERE NOT IN CONTEMPT OF - COURT, WAS APPELLANT PATTERSON NOT ENTITLED TO A DUE PROCESS HEARING BEFORE C.A.NO.80-1236-A WAS QUASHED, SAID HEARING BEING GUARANTEED BY U.S.C.A.CONST.AMENDS.5-6-14? SEE, ADAMS V.SAMPSON,(D.C.N.H.1978) F.SUPP.233.

5. DOES A FEDERAL DISTRICT COURT HAVE THE POWER UNDER 28 USC # 1651(a) TO PROTECT FROM PROSECUTION PARTIES GUILTY OF HAVING FILED - LIBELOUS, FRAUDULENT CONTEMPT CHARGES AGAINST THIS APPELLANT , BUT WHO THEN MOVED FOR NO TRIAL AFTER THE ORDER PROTECTING THEM UNDER 28 # 1651(a) WAS ENTERED? THUS THE MOTION FOR NO TRIAL HAS BEEN HONORED FOR BENEFIT OF DEFENDANTS SINCE AUGUST 7,1980.

6. DOES THE TROUP COUNTY, LAGRANGE, GEORGIA, BD.OF EDUCATION, HAVE THE LEGAL AUTHORITY TO TERMINATE A TEACHER'S "CONTRACT OF EMPLOYMENT" - BEFORE THE BOARD AFFORDS THAT TENURED TEACHER THE "NOTICED HEARING"

6.REQUIRED BY GA.CODE ANN.# # 32-2101c,(b)-NOTICE,& 32-2104c, DUE PROCESS REQUIRED BEFORE TERMINATION OF "CONTRACT OF EMPLOYMENT?"

7. DOES A PLAINTIFF,PRO SE HAVE THE CONSTITUTIONAL RIGHT TO SHOW A DISTRICT COURT THAT A PREVIOUS JUDGMENT AGAINST HIM,SPECIFICALLY JUDGMENT/ORDER NO C77-6-N,IS A FRAUDULENT JUDGMENT AND THAT THE FIFTH CIRCUIT COURT OF APPEALS ERRED AS A MATTER OF LAW IN AFFIRMING THAT DISTRICT COURT JUDGMENT ON THE GROUNDS THAT THE EXHIBITS DESCRIBED IN THAT DISTRICT COURT JUDGMENT/ORDER ARE NOT A PART OF THE RECORD/FILE FOR JUDGMENT/ORDER NO.C77-6-N?

8. SINCE THAT PLAINTIFF,PRO SE WAS ORDERED BY THE COURT AT THE "TRIAL?" FOR CASES NOS.C78-31-N & C78-47-N NOT TO ASK ANY WITNESS (THE APPELLEES) ANY QUESTIONS ABOUT THAT JUDGMENT/ORDER FOR C.A.NO. 77-6-N WAS PLAINTIFF,PRO SE DENIED DUE PROCESS OF A SIXTH AMENDMENT FAIR TRIAL ON THE GROUNDS THAT THERE IS NO TIME LIMITATION WITHIN WHICH A FRAUDULENT JUDGMENT BECOMES FINAL. FED R CIV P RULE 60(3) FRAUD.

9. DOES A FEDERAL DISTRICT COURT HAVE THE LEGAL POWER TO KEEP A FRAUDULENT JUDGMENT "COVERED UP"BY MEANS OF A FRAUDULENT PROTECTIVE ORDER DESIGNED TO CONTROL THE EVIDENCE AND THUS THE JUDGMENTS FOR CASES NO.C78-31-N AND C.A.NO.78-47-N,ALSO?

10. SINCE ONE ALLEGATION REVELANT TO C.A.NO.78-31-N WAS THAT THE JUDGMENT/ORDER FOR C.A.NO.77-6-N WAS A FRAUDULENT JUDGMENT DID NOT PLAINTIFF,PRO SE,PATTERSON,HAVE A DUE PROCESS RIGHT AT "TRIAL?" FOR CASE NO.C78-31-N TO HAVE THE COURT'S RECORD FOR FILE NO.C77-6-N BROUGHT INTO THE COURT SO THAT PATTERSON COULD HAVE SHOWN THE COURT THE EVIDENCE IN THAT RECORD,COMPILED BY THE COMMISSION,AS A FRAUD?

THE APPELLANT WILL BE FOREVER GRATEFUL TO THIS COURT IF IT WILL ENTER A RULING UPON THE ABOVE "QUESTIONS PRESENTED"BECAUSE THE FAILURE TO DO SO WILL SERVE TO GIVE THE APPELLEES MORE "AMMUNITION" WITH WHICH TO "TAUNT"ME WITH.

for, and powers and duties of superintendents and members of boards of education of the several local units of administration shall be as prescribed by law: Provided, however, that such superintendents and members of local boards of education shall comply with, execute and enforce the provisions of this Chapter and other school laws, and provisions of rules, regulations, policies and standards adopted by the State Board of Education pursuant thereto, in order to render the respective local units of administration eligible to receive State funds under the provisions of this Chapter.

(Acts 1974, pp. 1045, 1090.)

32-662a Local units of school administration; employment of personnel

(a) All teachers, principals, other certificated professional personnel, and all other school personnel of local units of administration shall be employed by local boards of education on the recommendation of the superintendent of schools of the local unit. Minimum qualifications for employment of all school personnel may be prescribed by the State Board of Education unless otherwise provided by law. Employment contracts of teachers, principals, other certificated professional personnel shall be in writing and shall be signed in duplicate by such personnel on their own behalf and by the local superintendent of schools on behalf of the local board of education.

(b) Any other provisions of this Chapter or any other laws to the contrary notwithstanding, local boards of education shall tender a new contract for the ensuing school year to every teacher on the payroll of the local school system at the beginning of the preceding school year, except teachers who have resigned or who have been terminated, by April 15 of each year or notify any such teacher that they are not going to rehire him for the ensuing school year. The notification shall be in writing.

(c) Any other provisions of this Chapter or any other laws to the contrary notwithstanding, no local board of education shall employ any person as a teacher who has been discharged from the armed forces of the United States with a dishonorable discharge as a result of desertion or any person who has fled or removed himself from the United States for the purpose of avoiding or evading military service in the armed forces of the United States excluding those who have been fully pardoned.

(Acts 1974, pp. 1045, 1091; 1975, p. 1537.)

Editorial Note
Acts 1975, p. 1537, added subsection (c).

32-663a Pupils attending school in adjacent local units of administration; allotment of State funds; contracts between local units

Notwithstanding the foregoing provisions of this Chapter and other school laws, the State Board of Education is hereby authorized to provide, by regulation, a procedure and manner whereby a pupil shall, for such

compelling reasons and circumstances as may be defined and specified by the State Board, be permitted to attend and be included as an enrolled pupil in average daily attendance in the public schools of a local unit of administration immediately adjacent to the local unit of administration wherein the pupil resides for the purpose of allotting State funds under the provisions of this Chapter, notwithstanding absence of an agreement between the two adjacent local units and a refusal by the board of education of the local unit wherein the pupil resides to voluntarily approve such transfer of a pupil to the public schools of the adjacent local unit: Provided, however, that the board of education of the adjacent local unit is willing to receive and permit such pupil to enroll in and attend the public schools of such local unit. The State Board shall adopt such rules, regulations and policies as may be necessary for implementation of this section. Grant or refusal of permission for pupils to attend such schools, for the purpose of permitting State funds to follow such pupils, shall be entirely discretionary with the State Board and shall, in the absence of a clear abuse of discretion by the board, be final and conclusive. Local units of administration may contract with each other for the care, education and transportation of pupils and for such other activities as they may be authorized by law to perform.

(Acts 1974, pp. 1045, 1091.)

32-664a Voter registration; excused absences

Each student in the public schools of the State of Georgia, upon attaining the age of 18 years, shall be apprised of his right to register as an elector and vote in elections upon attaining the age of 18 years. The State Board of Education shall promulgate rules and regulations to carry out the provisions of this section. An excused absence of a student, as determined by the local unit of administration, not to exceed one school day, shall not be counted against any local unit of administration in ascertaining "average daily attendance."

(Acts 1974, pp. 1045, 1092.)

32-664a.1 Pledge of Allegiance to the flag

Each student in the public schools of the State of Georgia shall be afforded the opportunity to recite the Pledge of Allegiance to the flag of the United States of America during each school day. It shall be the duty of each local board of education to establish a policy setting the time and manner for recitation of the Pledge of Allegiance. Said policy shall be established in writing and shall be distributed to each teacher within the school.

(Acts 1976, p. 271.)

32-665a Financial procedures established

For the purpose of promoting economy and efficiency in the financial operation of local school systems, keeping all school expenditures within estimated receipts and balances, and to facilitate financial review audits of local school system operations, and to determine conformance of school

this Chapter shall include all public school systems in this State, including those maintained and operated by counties, cities, towns and municipalities, including independent local systems and all public school systems, whether created before or after the Constitution of 1877.

(Acts 1958, pp. 231, 232.)

32-2119 Excused absences for children serving as pages of General Assembly

Children who serve as pages of the General Assembly of Georgia during the school year, either at regular or special sessions, shall be granted excused absences for the day or days missed from school while serving as pages therefor, and said children shall be credited as present by the school in which enrolled.

(Acts 1963, p. 254.)

CHAPTER 32-21A. SPECIAL COURSES, CLASSES OR SCHOOLS FOR CORRECTING SPEECH OF DEAF CHILDREN

Editorial Note

This Chapter was repealed by Acts 1975, pp. 539, 565. This 1975 Act was amendatory of Acts 1974, p. 1045, the Adequate Program for Education in Georgia (Chapter 32-6A). This former Chapter was based upon Acts 1945, pp. 312—315.

Acts 1953, Nov. Sess., p. 474, supplemented Acts 1945, p. 312, by providing that the independent city school systems and the county boards of education in all counties of over 300,000 population, according to the 1950 and any subsequent United States census, and in all counties adjoining such counties, may establish and maintain special courses or classes in or schools for speech correction.

CHAPTER 32-21B. EARLY CHILDHOOD DEVELOPMENT ACT

Editorial Note

This Chapter was repealed by Acts 1975, pp. 539, 565. This 1975 Act was amendatory of Acts 1974, p. 1045, the Adequate Program for Education in Georgia (Chapter 32-6A). This former Chapter was based upon Acts 1972, pp. 722—726.

CHAPTER 32-21C. TERMINATION OF CONTRACTS OF TEACHERS, PRINCIPALS AND OTHER EMPLOYEES HAVING CONTRACT FOR DEFINITE TERM

32-2101c Procedure for termination, suspension or demotion

(a) Grounds for termination, suspension, or demotion

The contract of employment of a teacher, principal or other employee having a contract for a definite term may be terminated or suspended for the following reasons:

(1) Incompetency;
(2) Insubordination;
(3) Wilful neglect of duties;
(4) Immorality;
(5) Inciting, encouraging or counseling students to violate any valid State law, municipal ordinance, or policy or rule of the local board of

THIS IS 32-2101c and (b-f) COVERS ALL TEACHERS UNDER 32-210 3

education; and

(6) For reduction in staff due to loss of students or cancellation of programs;

(7) For failure to secure and maintain necessary educational training; and

(8) For any other good and sufficient cause.

"BEFORE!"

(b) Notice

Before the discharge or suspension of a teacher, principal or other employee having a contract of employment for a definite term, written notice of the charges shall be given at least 10 days before the date set for hearing, and shall state:

(1) The cause or causes for his discharge, suspension, or demotion in sufficient detail to enable him fairly to show any error that may exist therein;

(2) The names of the known witnesses and a concise summary of the evidence to be used against him; the names of new witnesses shall be given as soon as practicable;

(3) The time and place where the hearing thereon will be held;

(4) Notification that the charged teacher or other person, upon request, shall be furnished with compulsory process or subpoena legally requiring the attendance of witnesses and the production of documents and other papers as provided by law.

(c) Service

All notices required by this Chapter may be served either personally or by certified mail. Service shall be deemed to be perfected when said notice is deposited in the United States Mail addressed to the last known address of the addressee with sufficient postage affixed thereto.

(d) Counsel; testimony

Any teacher, principal or other person against whom such charges listed in subsection (a) of this section have been brought, shall be entitled to be represented by counsel, and upon request shall be entitled to have subpoenas or other compulsory process issued for attendance of witnesses and the production of documents and other evidence.

Such subpoenas and compulsory process shall be issued in the name of the board of education, and shall be signed by the president or vice-president of the board of education. In all other respects, such subpoenas and other compulsory process shall be subject to the provisions of sections 38-801, 38-802.

(e) Hearing

The hearing shall be conducted before the local board of education or said board may designate a tribunal to consist of not less than three nor more than five impartial persons possessing academic expertise to conduct the hearing and submit its findings and recommendations to the board for its decision thereon, or said board may refer said matter for hearing to a tribunal constituted by the Professional Practices Commission [§§ 32-838 through 32-842].

The hearing shall be reported at the board's expense. If the matter is

subsections (b) through (f), inclusive, of section 32-2101c. For purposes of this section, a teacher or other employee as hereinbefore referred to shall be deemed to have been employed for three successive school years where the teacher or employee had already completed two years with the system and while serving under his third successive contract has his contract of employment renewed by the board of education for the fourth consecutive year. Only service rendered as an employee of the same local board of education may be counted as service for the purpose of this section.

(Acts 1975, pp. 360, 364.)

32-2104c Powers of board

In exercising its powers in the enforcement of due process under this Chapter, a local board of education shall be authorized:

(a) Under section 32-2101c, to:

(1) Terminate the contract of the teacher or other school employee; or

(2) Suspend a teacher or other school employee without pay for a period of time not to exceed 60 days. In such event, said teacher or employee shall provide no services for the school system and shall receive no compensation but shall be considered an employee on suspended status; or

(3) Reinstate a teacher or other school employee in the event said teacher or school employee has been temporarily relieved from duty in accordance with the provisions of this Chapter.

(b) Under section 32-2103c, to:

(1) Nonrenew a teacher's or other school employee's contract; or

(2) Renew a teacher's or other school employee's contract; or

(3) Demote a teacher or other school employee from one position in the school system to another position in the school system having less responsibility, prestige and salary: Provided, however, nothing in this Chapter shall be construed as depriving local school boards and other school officials from assigning and reassigning teachers and other certificated professional employees from one school to another or from assigning and reassigning teachers to teach different classes or subjects.

(Acts 1975, pp. 360, 365.)

32-2105c Letters of reprimand

A superintendent may write a letter of reprimand to a teacher or other school employee for any valid reason. A copy of said letter of reprimand is to remain in the teacher's or employee's permanent personnel file and said teacher of employee receiving such a letter of reprimand shall have the right to appeal the decision of the superintendent to the local board, said hearing to be conducted according to the provisions of this Chapter. The board shall have the right to either affirm the decision of the superintendent or to reverse it. If the decision of the board is to reverse it, said letter of reprimand shall be removed from said teacher's employee's permanent personnel file.

(Acts 1975, pp. 360, 366.)

32-2106c Implementing rules

The State Board of Education and local boards of education may adopt rules and regulations to implement this Chapter not inconsistent herewith.

(Acts 1975, pp. 360, 366.)

32-2107c Construction

Nothing in this Chapter shall be construed as authorizing a local board of education to enter into contracts with any employees for definite terms where such contracts are not already authorized by existing law or by laws to be enacted hereafter, separately from this Chapter.

(Acts 1975, pp. 360, 366.)

32-2108c Applicability

The provisions of this Chapter shall apply to county boards of education, boards of education of independent school systems, boards of education of public school systems established prior to the adoption of the Constitution of 1877 and boards of education of area school systems.

(Acts 1975, pp. 360, 367.)

PART III. VOCATIONAL EDUCATION

CHAPTER 32-22. IN GENERAL

32-2201 Acceptance of provisions of Act of Congress

The State of Georgia hereby accepts the provisions of an Act of the Congress of the United States approved February 23, 1917 (20 U. S. C. A., § 11 et seq.; c. 114, § 1, 39 Stat. 929), the caption of which said Act is as follows:

"An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and the appropriate money and regulate its expenditure, and for other purposes," and the provisions of said Act as set forth in Sections 1, 2, 3, and 4 of said Act and the provisions thereunder and appropriations therefor to be used according to and as provided in said Act.

(Acts 1919, pp. 288, 361.)

32-2202 Duties of State Board of Education as to vocational education

The State Board of Education, in offsetting the Federal appropriation, is directed to take advantage of whatever appropriation the State makes to local schools, municipal and county, normal schools and the teacher training department of the University of Georgia in order to secure these funds under the regulations provided by the Federal Vocational Board and also take advantage, when permitted by the Federal Vocational

PARTIES TO THE PROCEEDINGS

JAMES E.PATTERSON,

VS. APPELLANT NO. 80-8289

HANS J.SCHACHT,OTIS J. ABERNATHY,RALPH JOHNSON, KENNETH GORDON,THEDORE FRANKEL, KENNETH GORDON,NEIL GUNTER, WESLEY BOYD,JOHN HINCHEY, DIST.COURT NO.C79-106N

APPELLEES

JAMES E.PATTERSON,

VS. APPELLANT NO.80-8290

OTIS ABERNATHY,RALPH JOHNSON, JAMES LEWIS,KENNETH GORDON, THEODORE FRANKEL,HANS J.SCHACHT, JOHN HINCHEY,NEIL GUNTER,WESLEY BOYD,WILLIAM E.HOFFMAN,JR.,JEFFERY SMITH & UNITED STATES DIST.COURT NORTHERN DISTRICT OF GEORGIA, DIST.COURT NO.C80-1236-A

APPELLEES

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OPINION BELOW

THE FIFTH CIRCUIT COURT OF APPEALS HELD IN C.A.NO. 77-3097 THAT APPELLANT'S CIVIL RIGHTS WERE NOT VIOLATED BY HIS EMPLOYER, THE - TROUP COUNTY, LAGRANGE, GEORGIA, BOARD OF EDUCATION, TERMINATING HIS EMPLOYMENT ON THE BASIS OF EXHIBITS CLAIMED TO BEAR OUR SIGNATURES, BUT WITH WHICH WE HAVE YET TO BE CONFRONTED WITH. ORDER DATED 4/17/78.

THE DISTRICT COURT THEN DETERMINED REVELANT TO C.A.NO.78-3-N & C.A.NO.78-47-N, WHICH APPELLANT FILED AFTER THE AFFIRMATION BY THE APPELLANT COURT CITED ABOVE, THAT IT WOULD HELP THE APPELLEES PREVENT APPELLANT FROM SHOWING THAT HE HAD NOT BEEN CONFRONTED AND - THAT THE APPELLANT COURT DID NOT ERR IN RULING OTHERWISE. SO THE -- DISTRICT COURT PERMITTED THE APPELLEES TO DRAFT A FRAUDULENT PROTECTIVE ORDER DESIGNED TO DENY US ALL ACCESS TO THOSE MANUFACTURED LETTERS BEARING OUR SIGNATURES. FRAUDULENT ORDER ENTERED-8/4/78.

THE OPINION BELOW SHOWS THAT THE DISTRICT COURT SIGNED THAT -- FRAUDULENT PROTECTIVE ORDER WHICH FALSELY ALLEGED THAT WE WERE REPRESENTED BY AN ATTORNEY WITH BOTH C.A.NOS.78-31-N AND 78-47-N. WE SHOW THIS COURT THAT NO ATTORNEY REPRESENTED US WITH THOSE TWO CASES, AND THEREFORE, TWO FEDERAL COURT JUDGMENTS WERE STOLEN VIA A --- FRAUDULENT PROTECTIVE ORDER WHICH FALSELY ALLEGES THAT BEFORE THAT ORDER WAS DRAFTED AN ATTORNEY HAD ARGUED IN OUR BEHALF FOR THAT -- MANUFACTURED EVIDENCE WHICH THE COURT RULED WE COULD NOT HAVE OR SEE TO PREPARE OUR CASES FOR TRIAL. THE TWO CASES CITED HERE WERE SAID TO BE "TRIED?" TOGETHER IF THERE IS A TRIAL WHEN THE DEFENDANTS -- HOLD EVODENCE AGAINST THE PLAINTIFF WHICH THE COURT RULES PLAINTIFF CANNOT HAVE AND CANNOT SEE.

AFTER THE APPELLEES HAD STOLEN THOSE ABOVE CITED JUDGMENT, WE FILED ON DECEMBER 3,1979 C.A.NO.79-106-N ALLEGING DENIAL OF DUE PROCESS IN EVERY STEP OF OUR PREVIOUS EFFORTS FOR THE DUE ADMINISTRATION OF JUSTICE.

THE DISTRICT COURT ENTERED AN ORDER ON MARCH 5,1980 REQUIRING APPELLEES TO MAKE US AN OFFER OF CONSENT JUDGMENT (RULE 68) AND -- SAID ORDER WAS ENTERED JUST ONE DAY AFTER WE SERVED A MOTION FOR - JUDGMENT ON MARCH 4,1980.

NO DEFENDANT CONTROVERTED OUR SUMMARY JUDGMENT MOTION AS REQUIRED BY FRCP RULE 56(c), SUBD.(e) AND LOCAL RULE 91.72.

THE "COURT BELOW" DISMISSED C.A.NO.79-106-N ON MARCH 20,1980, BUT DID NOT ENTER A RULING UPON OUR NON-CONTROVERTED S.J.MOTION, AND DID NOT ADJUDICATE ITS ORDER FOR A CONSENT JUDGMENT.

THIS COURT KNOWS THAT THE MAJOR ALLEGATION IN C.A.NO.79-106-N WAS THAT THE APPELEES HAD PROCEEDED AGAINST HIM IN C.A. NOS.78-31 & C.A.NO.78-47 ON THE "STRENGTH" OF A FRAUDULENT PROTECTIVE ORDER PERMITTED BY THE COURT.THUS,FOR"THE COURT BELOW" TO RULE THAT C.A. NO.79-106-N DID NOT CONTAIN ANY ISSUES NOT ADJUDICATED IN C.A. NO. 78-31-N & C.A.NO.78-47-N WAS FALSE AND AN OBVIOUS COVER UP OF A CONSPIRACY BETWEEN THE COURT AND APPELLEES.

IT WAS"THE OPINION OF THE COURT BELOW" THAT THIS PARTY SHOULD BE DEPRIVED OF COMPENSATION FOR DEPRIVATION OF HIS CIVIL RIGHTS BY THE JUDGE WITH JURISDICTION OVER CASES NOS.78-31-N & C78-47-N,AND SO THE COURT TACKED ONTO DISMISSAL ORDER FOR C.A.NO.79-106-N AN INJUNCTIVE CLAUSE PROHIBITING US FROM UTILIZING CLAMIS WHICH THAT - JUDGE REFUSED TO ADJUDICATE.

THE APPELLANT WAS PREVENTED FROM APPEALING ADVERSE JUDGMENTS FOR C.A.NOS.78-47-N & 78-47-N BY AN EMPLOYEE OF THE APPELLANT COURT WHO SENT US A FRAUDULENT ORDER SHOWING THAT WE OWED THE APPELLANT - COURT MONEY WHICH HAD TO BE PAID BEFORE WE COULD EFFECT ANOTHER - APPEAL,BUT HE,RICHARD WINDHORST,JR,JUDICAL SUPPORT,REFUSED TO STATE THE AMOUNT OWED SO WE COULD NOT CLEAR UP THAT FRAUDULENT COURT ORDER. WE HAD NO USE IN JUNE 1979 FOR A COPY OF AN ORDER ENTERED IN '77.

THE APPELLANT THEN TRIED TO CLAIM HIS RIGHT TO BOTH SUMMARY -- AND CONSENT JUDGMENT FOR C.A.NO.79-106-N BY FILING ON JULY 21,1980 C.A.NO.80-1236-A, BUT THE COURT BELOW ENTERED AN ORDER ON AUGUST 7, 1980 REQUIRING APPELLANT TO APPEAR AND SHOW CAUSE WHY HE WAS NOT IN CIVIL CONTEMPT FOR HAVING VIOLATED THE INJUNCTIVE CLAUSE TACKED ON TO DISMISSAL ORDER NO.C79-106-N IN CLEAR VIOLATION OF RULE 65(b).

APPELLANT FILED FOUR MOTION BETWEEN AUGUST 7 AND SEPTEMBER 15, 1980 ASKING FOR A SHOW CAUSE TRIAL WITH OR WITHOUT COURT APPOINTED COUNSEL WHICH THE COURT BELOW IGNORED COMPLETELY. MOTIONS WERE -- BASED ON SIXTH AMENDENT RIGHT TO A SPEEDY TRIAL AS A MATTER OF DUE PROCESS.

SINCE THE DISTRICT COURT REFUSED TO RESPOND TO OUR MOTIONS SEEKING A SHOW CAUSE HEARING,APPELLANT APPEALED ON SEPTEMBER 15,1980 TO THE FIFTH CIRCUIT COURT OF APPEALS FOR HIS DUE PROCESS RIGHTS TO A SPEEDY TRIAL AND COURT APPOINTED COUNSEL.

THE APPELLANT COURT ENTERED AN ORDER ON OCTOBER 23,1980 DENYING OUR MOTION FOR A SPEEDY TRIAL,BUT DID NOT ENTER A RULING UPON OUR MOTION FOR COURT APPOINTED COUNSEL TO WHICH WE ARE ENTITLED SINCE TERMINATION OF OUR EMPLOYMENT IN THE ABSENCE OF DUE PROCESS ATTACHED SUCH A STIGMA TO OUR REPUTATION UNTIL THE JOB MARKET HAS BEEN CLOSED TO US SINCE JUNE 1976.

APPELLANT'S CONTINUED EFFORTS TO BE ASSIGNED A COURT APPOINTED COUNSEL WAS BLOCKED WHEN ON JANUARY 28,1981 THE FIFTH CIRCUIT ENTERED AN ORDER ADVISING ITS CLERK NOT TO ACCEPT ANY FURTHER MOTIONS FROM US.THUS,THE APPELLANT COURT HAS YET TO RULE UPON OUR MOTION FOR COURT APPOINTED COUNSEL.

JURISDICTION

THE JURISDICTION OF THIS COURT IS EVOKED PURSUANT TO 28 USC ## 1252 & 1254,AND THE DUE PROCESS CLAUSES OF THE FIFTH,SIXTH AND FOURTEENTH AMENDMENTS.

THIS COURT CAN GRANT REQUESTED RELIEF VIA ITS POWER UNDER 28 U.S.C. # 1651(a).

THE JUDGMENT OF THE FIFTH CIRCUIT COURT OF APPEALS DENYING REQUESTED RELIEF WAS ENTERED ON JANUARY 28,1981.

THE NOTICE TO APPEAL TO THIS COURT WAS FILED IN THE APPELLANT COURT ON FEBRUARY 25,1981.

STATUTES INVOLVED

ONE STATUTE INVOLVED IS FRCP RULE 65(a)(1) WHICH PROVIDES THAT: "THE NOTICE REQUIREMENT OF FED R CIV P RULE 65(a)(1) IMPLIES A HEARING IN WHICH THE DEFENDANT (THIS PARTY) IS GRANTED A FAIR OPPORTUNITY TO OPPOSE THE APPLICATION FOR A PRELIMINARY INJUNCTION AND TO PREPARE FOR SUCH OPPOSITION." SEE, GRANNY GOOSE FOODS, INC. VS.--- BROTHERHOOD OF TEAMSTERS (1974) US.423.

A SECOND STATUTE INVOLVED IS FED R CIV P RULE 65(b) WHICH PROVIDED IN PART THAT : "IN CASE A TEMPORARY RESTRAINING ORDER IS GRANTED WITHOUT A NOTICE, THE MOTION FOR A PRELIMINARY INJUNCTION SHALL BE SET DOWN FOR HEARING AT THE EARLIEST POSSIBLE TIME AND TAKES PRECEDENCE OF ALL MATTERS EXCEPT OLDER MATTERS OF THE SAME NATURE." THEREFOR, WE WERE ENTITLED TO A HEARING ON THE MERITS OF C.A.NO.79-106-N BEFORE THE COURT DISMISSED THAT ACTION AND TACKED ONTO ITS DISMISSAL ORDER A PERMANENT INJUNCTIVE CLAUSE.

A THIRD STATUTE INVOLVED IS THE DUE PROCESS CLAUSE OF THE FIFTH, SIXTH AND FOURTEENTH AMENDMENTS WHICH GUARANTEES A FAIR TRIAL AND HOLDS THAT: "KNOWING USE BY THE PROSECUTION OF FALSE EVIDENCE OR PERJURED TESTIMONY DENIES DUE PROCESS"-- AND A FRAUDULENT PROTECTIVE ORDER DESIGNED BY A FEDERAL JUDGE AND THE APPELLEES TO CONTROL TWO FEDERAL COURT JUDGMENTS DENIED THIS PRO SE APPELLANT DUE PROCESS. SEE, U.S.VS. ANDERSON (C.A.GA.1978) 574 F.2D 1347.

UNITED STATES CODE 18 # 401 AND THE DUE PROCESS CLAUSES OF THE SIXTH AND FOURTEENTH AMENDMENTS AFFORDS A PARTY CHARGED WITH HAVING VIOLATED FEDERAL STATUTE 18 USC # 401, CONTEMPT, A SPEEDY TRIAL AND PROVIDES THAT: "SPEEDY TRIAL, WHICH IS ONE OF THE MOST BASIC RIGHTS PRESERVED BY CONSTITUTION CANNOT BE DIVORCED FROM THAT PANOLPY OF RIGHTS EMBRACED BY DUE PROCESS." SEE, U.S.VS.WILLIAMS (C.A.TEX.1977) U.S.C.A. CONST.AMENDS.6-14-558 F.2D 224.

FEDERAL STATUTES 18 USC # 401(3) 6001 ET SEQ; AND CIVIL RIGHTS ACT OF 1964, # 1101, 42 U.S.C.A. # 2000h AND 28 U.S.C.A. # 1826 ARE INVOLVED AND PROVIDE THAT: "DISTRICT COURT ERRED IN FAILING TO GRANT DEFENDANT (THIS PARTY) COURT APPOINTED COUNSEL AT OUTSET OF CON--- TEMPT PROCEEDINGS FOR CONSTITUTION REQUIRES THAT COUNSEL BE APPOINTED FOR INDIGENT PERSON WHO MAY BE EITHER FINED OR CONFINED PURSUANT TO A FINDING OF CIVIL CONTEMPT." U.S.V.ANDERSON (C.A.S.D.1977) 553 F.2D 1154; RICHMOND BLACK POLICE OFFICERS ASS'N V.CITY OF RICHMOND VA., (C.A.VA.1977) 548 F.2D 123.

FINALLY,DUE PROCESS CLAUSES OF FIFTH AND FOURTEENTH AMENDMENTS PROVIDES THAT:"AN OPPORTUNITY TO MEET AND REBUT EVIDENCE UTILIZED BY AN ADMINISTRATIVE AGENCY IS A PRIMARY REQUISITE OF DUE PROCESS;" AND FIVE YEARS AFTER THE LOCAL SCHOOL BOARD TERMINATED OUR EMPLOYMENT MENT ON APRIL 12,1976 ON THE BASIS OF MANFACTURED EVIDENCE BY LEWIS AND SUPT.ABERNATHY WE STILL HAVE NOT BEEN AFFORDED THE RIGHT TO MEET AND REBUT THAT EVIDENCE,THANKS TO A FRAUDULENT PROTECTIVE ORDER. SEE,RALPHO V.BELL,U.S.C.A.CONST.AMENDS.5-14 (C.A.D.C. 1977) 569 F. 2D 607,180 U.S.APP.D.C. 368.

GA.SCHOOL CODE ANN.# 32-2101c(b),(d),(e) AND 32 # 2104c (a)(1) HOLDS THAT NO PUBLIC SCHOOL TEACHER WITH THREE OR MORE YEARS OF SERVICE WITH THE SAME LOCAL BOARD CANNOT BE TERMINATED PRIOR TO A FULL DUE PROCESS HEARING. GA.SCHOOL CODE ANN.# 32-662a (b) DECLARES THAT A LOCAL SCHOOL BOARD SHALL ISSUE A NEW CONTRACT OF EMPLOYMENT BY -- APRIL 15th OF THE ENSUING SCHOOL YEAR OR ADVISE THAT TENURED TEACHER IN WRITING BY APRIL 15TH THAT HE/SHE HAS BEEN TERMINATED.

THEREFORE,THE LOCAL BOARD VOTED ON APRIL 12,1976 IN OUR ABSENCE AND WITHOUT OUR BEING REPRESENTED BY COUNSEL TO NOT RENEW OUR "CONTRACT OF EMPLOYMENT"FOR SCHOOL YEAR 1976-1977 AND THAT VOTE VIOLATED GA.CODE ANN. 32-2101c ,b-NOTICE,d-right to counsel,e- right to a hearing prior to voting not to renew OUR "CONTRACT OF EMPLOYMENT".

THE APPELLANT COURT ENTERED AN ORDER ON APRIL 17,1978 HOLDING - THAT THE LOCAL SCHOOL BOARD AFFORDED US DUE PROCESS ON APRIL 12,1976. ORDER NO.77-3097. SINCE WE HAD 30 YEARS EXPERIENCE WITH THE SAME SCHOOL BOARD WE HAD TENURE RIGHTS WHICH WERE NOT AFFORDED.

STATEMENT OF THE CASE

THIS IS A CIVIL RIGHTS CASE INVOLVING TERMINATION OF EMPLOYMENT OF APPELLANT PATTERSON WITHOUT AFFORDING DUE PROCESS OF LAW AND WE DOCUMENT A SERIES OF CONSPIRACIES EMPLOYED BY THE COURT AND OTHER APPELLEES TO DENY APPELLANT DUE PROCESS OF LAW AS A PRO SE IN THE DISTRICT FEDERAL COURTS.

GA.CODE ANN.# 32-2101 c(b) NOTICE,PROVIDES THAT NO TENURED TEACHER'S "CONTRACT OF EMPLOYMENT" SHALL BE TERMINATED PRIOR TO A NOTICE HEARING.

GA.CODE ANN.# 32-2101c(d) COUNSEL,GUARANTEES A TENURED TEACHER THE RIGHT TO BE REPRESENTED BY COUNSEL AT THE TIME THE LOCAL SCHOOL BOARD IS CONSIDERING NOT TO RE-NEW THAT TEACHER'S"CONTRACT OF EMPLOYMENT"FOR THE ENSUING SCHOOL YEAR.

GA.CODE ANN.32-2104c (a)(1) PROHIBITS A LOCAL SCHOOL BOARD FROM VOTING NOT TO RENEW A TEACHER'S"CONTRACT OF EMPLOYMENT" UNLESS THE TENURED TEACHER IS PRESENT WITH COUNSEL WHICH CODE SECTION # 32-2104c(a)(1) DEFINES AS DUE PROCESS. THE SAME PROTECTION IS AFFORDED BY THE "NOTICE"SECTION OF # 32-2101c,(b).

THE TROUP COUNTY,LAGRANGE,GEORGIA, BOARD OF EDUCATION VOTED ON APRIL 12,1976 UNDER THE INFLUENCE OF LEWIS AND SUPT.ABERNATHY TO NOT RENEW OUR"CONTRACT OF EMPLOYMENT"FOR SCHOOL YEAR 1976-1977,BUT WE HAD NOT BEEN SERVED A "NOTICE" AND WE WERE NOT PRESENTED AT THAT APRIL 12,1976 BOARD MEETING WITH OR WITHOUT LEGAL COUNSEL. WE HAD REQUESTED IN A CERTIFIED LETTER TO ABERNATHY THE RIGHT TO BE PRESENT WITH COUNSEL AT THAT APRIL 12,1976 BOARD MEETING.ABERNATHY IGNORED OUR REQUEST FOR THE BUILT IN DUE PROCESS RIGHTS CITED ABOVE.

THEREFORE,ON APRIL 12,1976 THE BD.VIOLATED THE DUE PROCESS RIGHTS OF THIS TENURED TEACHER WITH 30 YEARS OF SERVICE TO THE SAME LOCAL --- SCHOOL BOARD.

THEREAFTER APRIL 12,1976,THE LOCAL BOARD ASKED THE GEORGIA -- PROFESSIONAL PRACTICES COMMISSION (COMMISSION) TO HOLD A HEARING TO DETERMINE WHETHER THE BOARD HAD SUFFICIENT EVIDENCE TO HAVE TERMINATED OUR EMPLOYMENT ON APRIL 12,1976 IN OUR ABSENCE.

SUPT.ABERNATHY AND HIS LAWYER,JAMES LEWIS,INFLUENCED THE COMMISSION TO HOLD THE HEARING IN OUR ABSENCE.LEWIS AND ABERNATHY THEN BRIBED ATTORNEY ,TED FRANKEL,APPOINTED BY THE GA.ASS'N.OF EDUCATORS TO REPRESENT THIS PARTY,TO LET THE SECRET HEARING TAKE PLACE.

THE COMMISSION,WITH FRANKEL'S CONSENT,HELD THE SECRET HEARING SOMETIME IN JULY 1976 TO LET ABERNATHY AND HIS WITNESSES TESTIFY AND PRESENT EVIDENCE IN FORM OF EXHIBITS AGAINST THE APPELLANT.

THE COMMISSION'S HEARING EXAMINER,JOHN HINCHEY,WROTE THE FINDINGS OF FACTS AND RECOMMENDATIONS TO THE LOCAL SCHOOL BOARD FOR THE COMMISSION WHICH HE FALSELY CERTIFIED HAD BEEN ACCEPTED BY THE COMMISSION'S HEARING PANEL.TO CLARIFY,HE CLAIMED THAT HIS EVIDENCE WAS ACCEPTED.

HE MADE CHARGES OF "INSURBORDONATION" AND"WILLFUL NEGLECT OF DUTY"AGAINST A 30 YEAR VETERAN TEACHER WHICH HE "SUPPORTED" WITH 22 EXHIBITS WHICH HE CLAIMED BEARED OUR SIGNATURES,BUT NO HEARING RECORD SHOWS CONFRONTATION WITH/TO THOSE 22 EXHIBITS BY THIS CHEATED PRO SE APPELLANT.THERE WAS NO COMPLAINT IN OUR PERSONNEL FILE.

THE PROOF THAT WE WERE NOT PRESENT FOR THE SECRET HEARING IS GROUNDED IN THE FACT THAT THE FRAUDULENT TESTIMONY ATTRIBUTED TO US IN THE TRANSCRIPT REVEALS THAT WE WERE NOT AFFORDED DUE PROCESS RIGHT OF CONFRONTATION ON CROSS EXAMINIATION REVELANT TO THOSE 22 EXHIBITS CLAIMED TO BEAR OUR SIGNATURES.THUS,THE COMMISSION DENIED OUR SIXTH AMENDMENT RIGHT TO A PUBLIC TRIAL.

THE COMMISSION'S HEARING RECORD REVELANT TO THIS MATTER SHOWS THAT THE COMMISSION ACCEPTED 127 EXHIBITS/DOCUMENTS AT THAT SECRET HEARING AND THE DISTRICT COURT HELD IN BOTH C.A.NO.77-6-N AND C.A. NO.78-31-N THAT OUR SIGNATURES WERE ON A MAJORITY OF THOSE 127 DOCUMENTS THEN THE COURT CONSPIRED WITH THE OTHER APPELLEES BY MEANS OF A FRAUDULENT PROTECTIVE ORDER TO PREVENT US FROM SHOWING THAT IT HAD ENTERED FALSE CHARGES AGAINST US IN CASE NO.C77-6-N.

THEREFORE,DISTRICT COURT FILE NO.C77-6-N IS THE HEARING RECORD OF THIS MATTER WHICH THE COMMISSION COMPILED IN OUR ABSENCE ,BUT BY WHICH THE COMMISSION SUPPORTED THE LOCAL BOARD'S DENIAL OF DUE PROCESS ON APRIL 12,1976 AS THE BOARD TERMINATED OUR EMPLOYMENT.

WE APPEALED THE ADVERSE JUDGMENT FOR C.A.NO.77-6-N TO THE FIFTH CIRCUIT IN FORMA PAUPERIS AND THAT COURT ENTERED AN ORDER ON APRIL 17,1978 AFFIRMING THAT WE DID SIGN A MAJORITY OF THOSE 127 EXHIBITS ,BUT SINCE OUR FRAUDULENT ATTRIBUTED TESTIMONY DOES NOT SUPPORT THE APPELLANT COURT WE CONTINUED TO SEEK THE DUE ADMINISTRATION OF JUSTICE BY FILING C.A.NO.78-31-N & C.A.NO.78-47-N.

C.A.NO.78-31-N ALLEGED THAT THE APPELLANT COURT ERRED IN RULING THAT WE WERE AFFORDED DUE PROCESS RIGHT OF CONFRONTATION ON CROSS-EXAMINATION REVELANT TO THOSE 127 & 22 EXHIBITS,AND WE ALSO ALLEGED (2) THAT THE COMMISSION COMPILED THE HEARING RECORD OF THIS MATTER IN OUR ABSENCE.

C.A.NO.78-47-N ALLEGED THAT THE RECORD BEING COMPILED IN OUR - ABSENCE WAS THEREFORE A FRAUD.BUT A FEDERAL JUDGE HAD A PLAN TO - PREVENT US FROM SHOWING ANY ALLEGATION WITH HIS FRAUDULENT PROTECTIVE ORDER.CASE NO.C78-47-N ALSO ALLEGED THAT ATTORNEY GORDON CONSPIRED WITH LEWIS AND ABERNATHY NOT TO SHOW THE FEDERAL COURT EVIDENCE OF OUR ABSENCE AT THE TIME THE COMMISSION COMPILED THE HEARING RECORD AND SO GORDON STOLE FROM US A RETAINER FEE OF $ 1,500.00 AND TOOK SOME OF ABERNATHY'S PUBLIC TAX MONEY TO COVER UP EVIDENCE OF OUR ABSENCE.

DISTRICT COURT JUDGE,ALBERT J.HENDERSON,JR.,CONSPIRED WITH THE APPELLEES IN CASES NOS.C78-31-N & C78-47-N TO CONTROL THOSE TWO JUDGMENTS VIA MEANS OF A FRAUDULENT PROTECTIVE ORDER (P.O.) DESIGNED TO DENY OUR DUE PROCESS RIGHT TO FORCE PRODUCTION OF OUR SIGNATURES ON MOST OF THOSE 127 AND ALL OF THOSE 22 EXHIBITS

PLEASE BE ADVISE THAT OF COURSE THE EXAMINER GOT HIS 22 ADVERSE EXHIBITS FROM THOSE 127 ACCEPTED IN OUR ABSENCE,BUT SINCE HE CITED THOSE AS SUPPORT FOR HIS FINDINGS AND SINCE WE WERE NOT CONFRONTED WITH THOSE 22 SIGNATURES,THEN,THEY ARE SEPARATED TO SHOW A SECOND TERMINATION ON THE BASIS OF A SECOND CONSPIRACY,THE FIRST CONSPIRACY WAS UTILIZED BY LEWIS AND ABERNATHY ON APRIL 12,1976.

JUDGE HENDERSON ENTERED AN ORDER ON AUGUST 4,1978 IN WHICH HE FALSELY ALLEGED THAT HE HAD HELD A DISCOVERY CONFERENCE ON JULY 26, 1978 AT WHICH TIME AN ATTORNEY APPEARED TO PLEAD FOR OUR RIGHT TO COPIES OF THOSE 127 & 22 EXHIBITS/DOCUMENTS WHICH HENDERSON HAD RULED IN CASE NO.C77-6-N BEARED OUR SIGNATURES FOR THE MOST PART. NO LAWYER REPRESENTED US REVELANT TO CASES NOS.C78-31-N AND C78-47-N AND SO JUDGE HENDERSON KNOWINGLY ENTERED A FRAUDULENT P.O.ORDER DESIGNED TO CONTROL THOSE JUDGMENTS FOR THE APPELLEES.THUS,THIS COURT SHOULD KNOW WHY THE DISTRICT COURT WAS MADE A DEFENDANT IN CASE NO. C80-1236-A.

AFTER HENDERSON HAD STOLEN THOSE TWO JUDGMENTS,WE TRIED TO APPEAL TO THE FIFTH CIRCUIT COURT OF APPEALS,BUT AN EMPLOYEE OF THAT COURT,ONE,RICHARD E.WINDHORST,JR.,JUDICAL SUPPORT,DETERMINED THAT HE WOULD COVER UP FOR HENDERSON AND THE APPELLEES.

SO,MR.WINDHORST SENT TO US A FRAUDULENT COURT ORDER DEMANDING THAT WE PAY THE COURT THE COSTS FOR HAVING APPEALED IN FORMA PAUPER-IS CASE NO.C77-6-N BEFORE HE WOULD LET US EFFECT AN APPEAL FOR C.A. NO.78-31-N & C.A.NO.78-47-N. SINCE WE DID'NT OWE ANY MONEY MR.WINDHORST WAS GUILTY OF EXTORTION BY THE UNITED STATES MAIL.

MR.WINDHORST NEVER WOULD ADVISE US AS TO HOW MUCH HE WANTED US TO PAY AND BEFORE WE COULD GET CLEAR OF HIS SCHENE OUR 30 DAYS IN WHICH TO EFFECT AN APPEAL HAD EXPIRED.THEREFORE,THE APPELLEES PAID MR.WINDHORST FOR HIS CONSPIRACY,BUT WINDHORST WAS FIRED BY HIS EMPLOYER,THE FIFTH CIRCUIT COURT OF APPEALS.NO,WE DID NOT GET TO APPEAL ADVERSE JUDGMENTS FOR C.A.NO.78-31-N & C.A.NO.78-47-N,THANKS TO WINDHORST.

THUS,SINCE WE WERE DENIED THE RIGHT TO APPEAL,WE FILED C.A.NO. 79-106-N IN THE DISTRICT COURT ON DECEMBER 3,1979.

WE ALLEGED IN C.A.NO.79-106-N THAT (1) WE WERE THE VICTIM OF A FRAUDULENT P.O. DESIGNED TO DENY US A FAIR TRIAL,AND THAT (2) HENDERSON DENIED OUR RIGHT TO CALL WITNESSES FOR THE TRAVESTY ON JUSTICE ON NOVEMBER 20,1978,AND THAT (3) HENDERSON DENIED OUR DUE PROCESS OF RIGHT TO SHOW BY THE TRANSCRIPT EVIDENCE THAT WE WERE NOT PRESENCE WHEN THE COMMISSION COMPILED THAT HEARING RECORD TO SUPPORT THE -- LOCAL BOARD'S VIOLATION OF OUR DUE PROCESS RIGHT ON APRIL 12,1976, (4) HENDERSON RULED AT "TRIAL?" THAT THE COMMISSION'S HEARING RECORD REVELANT TO THIS MATTER COULD NOT BE BROUGHT INTO THE TRIAL AND --- CHALLENGED AS A FRAUD.

WE STATED EARLIER THAT WE FILED A MOTION FOR SUMMARY JUDGMENT ON MARCH 4,1980 FOR C.A.NO.79-106-N AND THAT ON MARCH 5,1980 THE COURT ENTERED A RULE 68 ORDER REQUIRING THE APPELLES TO MAKE US AN OFFER OF CONSENT JUDGMENT.

BY MARCH 13,1980 FIVE OF THE DEFENDANTS IN CASE NO.C79-106-N HAD ONLY ACKNOWLEDGED OUR SUMMARY JUDGMENT MOTION BY "POKING FUN" AT ITS CONTENTS.

WELL,SINCE WE HAVE STATED THE HISTORY OF C.A.NO.79-106-N THIS COURT KNOWS THAT WE WERE CHEATED OUT OF SUMMARY JUDGMENT FOR C.A.NO. 79-106-N AND THAT THE COURT HAS NOT UNTIL THIS DAY VACATED,ALTERED, OR ADJUDICATED ITS RULE 68 ORDER FOR A CONSENT JUDGMENT FROM THE DEFENDANTS.NOT,ONLY DID JUDGE TIDWELL CHEAT US,HE THEN CONSPIRED TO COVER UP FOR HENDERSON AND THE DEFENDANTS BY ORDERING US TO FORGET THE MISCONDUCT OF HENDERSON AND THE DEFENDANTS REVELANT TO C.A.NO. 78-31-N & C.A.NO.78-47-N. HE CALLED HIS "COVER UP"AN INJUNCTIVE -- CLAUSE.

WE FILED A PROTEST MOTION WITH JUDGE TIDWELL ON APRIL 15 POINTING OUT THAT RULE 65(b) DID NOT AUTHORIZE HIM TO ATTACH A PERMANENT INJUNCTIVE CLAUSE TO HIS DISMISSAL ORDER FOR CASE NO.C79-106-N -- PRIOR TO HIS AFFORDING US A HEARING ON THE MERITS OF THAT COMPLAINT. TIDWELL RULED THAT OUR MOTION WAS WITHOUT MERIT.

WE THEN FILED IN MAY 1980 A MOTION IN THE FIFTH CIRCUIT COURT OF APPEALS FOR AN ORDER DIRECTING TIDWELL TO GRANT US A HEARING - BEFORE HIS INJUNCTIVE CLAUSE WAS CONSIDERED TO BE VALID.THE COURT OF APPEALS DENIED OUR MOTION EVEN THOUGH WE PROVED THAT TIDWELL HAD CHEATED US OUT OF SUMMARY JUDGMENT.THUS,THE DISTRICT COURT HAD A LICENSE TO CHEAT US ANY TIME IT SO DESIRED.

SINCE THE APPELLANT COURT WAS'NT IN THE MOOD TO AFFORD US DUE PROCESS,WE FILED,OR TRIED TO FILE C.A.NO.80-1236-A IN THE DISTRICT COURT.THE HISTORY OF C.A.NO.80-1236-A IS STATED FULLY ELSEWHERE AND WE SHALL NOT REPEAT.SUFFICE IT TO SAY THAT IF THE "ACT" OF OUR HAVING TRIED TO FILE C.A.NO.80-1236-A VIOLATED AN INJUNCTIVE CLAUSE - TACKED ON TO TIDWELL'S DISMISSAL ORDER FOR CASE NO.C79-106-N ,THEN, JUDGE SHOOB SHOULD HAVE AFFORDED US A HEARING BEFORE HE DISMISSED C.A.NO.80-1236-A AND ORDERED THE MARSHAL NOT TO SERVE A COPY OF THAT COMPLAINT ON A DEFENDANT.ALSO,BE ADVISED THAT SHOOB ACCEPTED AN EX PARTE MOTION WHICH HE SOLICITED FROM A NON-DEFENDANT IN C.A.NO.80-1236-A IN WHICH THE MOTION ASKED SHOOB TO QUASH MARSHAL'S SERVICE ON C.A.NO.80-1236-A.

SHOOB FALSELY RULED THAT CASE NO.C80-1236-A CONTAINED 160 PAGES AND COULD NOT BE FILED BECAUSE IT DID NOT COMPLY WITH RULE 8. SHOOB ALSO FALSELY RULED THAT COMPLAINT NO.C80-1236-A COULD NOT BE FILED BECAUSE THE CHECK TO PAY THE FILING FEE WAS NOT PAYED BY THE BANK. JUDGE SHOOB RESORTED TO PERJURY AND CONSPIRACY TO VOID COMPLAINT NO. C80-1236-A.

IN SPITE OF THE FACT THAT TIDWELL TACKED ONTO A DISMISSAL ORDER A PERMANENT INJUNCTIVE CLAUSE IN CLEAR VIOLATION OF FRCP RULES 65 a)(1) AND 65(b) ,HE RULED THAT TRYING TO FILE C.A.NO.80-1236-A WAS CONTEMPTUOUS CONDUCT WHILE JUDGE SHOOB ORDERED THAT THAT ACTION NOT BE SERVED ON A DEFENDANT.

SO,AS STATED EARLIER,WE FILED FOUR MOTION IN AUGUST AND SEPTEMBER ASKING FOR COURT APPOINTED COUNSEL AND A CONTEMPT TRIAL,BUT THE DISTRICT COURT IS YET TO RESPOND TO THE FIRST OF THOSE FOUR MOTIONS.

THEREFORE,AS PREVIOUSLY STATED,WE APPEALED FOR A COURT APPOINTED ATTORNEY AND A CONTEMPT TRIAL WHICH THE APPELLANT COURT REFUSED TO GRANT.

AS A MATTER OF FACT, THE APPEALS COURT'S ORDER ENTERED ON OCTOBER 23,1980 DENIED OUR MOTION FOR A SIXTH AMENDMENT SPEEDY TRIAL, BUT THAT COURT IGNORED OUR PLEA FOR COURT APPOINTED COUNSEL.

THEREFORE, WE WENT BACK TO THE APPEALS COURT AND ASKED FOR A RULING ING ON OUR LEGAL RIGHT TO COURT APPOINTED COUNSEL, BUT THE COURT THEN RULED ON DECEMBER 29,1980 THAT IT LACKED JURISDICTION.

WE WENT BACK ASKING THE APPEALS COURT TO RULE ON OUR MOTION -- SINCE THE DISTRICT COURT HAD NOT RULED UPON THAT MOTION FOR COUNSEL AND THUS THERE WAS NO DATE BY WHICH TO SAY OUR APPEAL WAS NOT TIMELY FILED.

THE FIFTH CIRCUIT THEN ENTERED AN ORDER ON JANUARY 28,1981 IN - WHICH IT DIRECTED ITS CLERK NOT TO ACCEPT ANY MORE MOTIONS FROM US REVELANT TO THE CONTEMPT MATTER.

WE THEN FILED ON FEBRUARY 25,1981 NOTICE TO APPEAL TO THE UNITED STATES SUPREME COURT FOR A SPEEDY CONTEMPT TRIAL AND COURT APPOINTED COUNSEL ON THE CHARGE OF HAVING VIOLATED FEDERAL STATUTE NO.18 USC # 401, CONTEMPT. SINCE THE ORDER TO SHOW CAUSE WAS SERVED ON US NINE (9) MONTHS AGO IT IS NOW IMPOSSIBLE TO AFFORD US A SIXTH AMENDMENT RIGHT TO A SPEEDY TRIAL, BUT IT IS NOT TOO LATE TO AFFORD US A CONTEMPT TRIAL WITH COURT APPOINTED COUNSEL. UNDER NO SET OF CONDITIONS DO WE MOVE THIS COURT TO ORDER THE PENDING CONTEMPT CHARGES - AGAINST US VACATED. NO, WE WANT THE APPELLEES IN COURT IN A FAIR --- TRIAL WHICH WE WILL GET IF REPRESENTED BY COMPETENT COUNSEL.

APPELLANT ARGUES, INTER ALIA, THAT HE HAS BEEN DENIED DUE PROCESS AT EVERY STAGE OF THIS FIVE (5) YEAR OLD PROCEEDINGS BEGINNING ON APRIL 12,1976 WHEN THE LOCAL SCHOOL BOARD VOTHED IN THE ABSENCE OF DUE PROCESS, AND IN VIOLATION OF GA.CODE ANN.32-2101c,(b),(d)(e) AND # 32-2104 c(a)(1), WHICH GUARANTEES A TENURED TEACHER A HEARING PRIOR TO THE BOARD VOTING NOT TO ISSUE A"CONTRACT OF EMPLOYMENT" NOT TO RENEW APPELLANT'S "CONTRACT OF EMPLOYMENT"FOR SCHOOL YEAR 1976-1977, AND SINCE APRIL 12,1976 THE EVIDENCE PRESENTED HEREIN SHOWS THAT THE COMMISSION AND FEDERAL COURTS HAVE DENIED APPELLANT DUE PROCESS INCLUDING, BUT NOT LIMITED TO, BY MEANS OF A FRAUDULENT P.O. FALSELY - ALLEGING THAT OUR DUE PROCESS RIGHTS WERE PROTECTED BY AN ATTORNEY REVELANT TO THIS FIVE YEAR (5) YEAR OLD PROCEEDING. THEREFORE, THE FEDERAL COURTS HAVE DENIED APPELLANT BOTH DUE PROCESS AND EQUAL PROTECTION.

FINALLY,APPELLANT ARGUES THAT WHEN DISTRICT COURT JUDGE ROBERT VINING CERTIFIED THE PERJURY TO THE FIFTH CIRCUIT THAT OUR MOVE FOR A TRIAL WAS NOT TAKEN IN GOOD FAITH IN THAT,ACCORDING TO VINING'S PERJURY HE HAD OFFERED US A CONTEMPT TRIAL ON SEPTEMBER 3,1980 BUT, LIED VINING,WE FAILED TO APPEAR,HE IS GUILTY OF CONSPIRING WITH THE APPELLEES ON THE GROUND THAT WHEN JOHN DOE LIES FOR BILL SMITH DOE IS GUILTY OF CONSPIRING WITH SMITH AGAINST A THIRD PARTY. THE COURT WILL FIND IN THE APPENDIX AN ORDER WHICH VINING ENTERED CANCELING THE CONTEMPT HEARING WHICH HE FALSELY CERTIFIED WE DID NOT SHOW UP AS ORDERED.

STATEMENT OF REASONS

THE BASIS OF GA.SCHOOL CODES ANN.# 32-662a,b AND # 32-2101c,(a)(b)(d)(e) AND # 32-2104c(a)(1) IS AN ATTEMPT BY THE STATE GENERAL ASSEMBLY TO OFFER TEACHERS JOB PROTECTION AFTER THREE YEARS OF -- SATISFACTORY SERVICE AND THUS ABERNATHY AND HIS LAWYER SHOULD NOT BE ALLOWED TO DEFEAT THE INTENT OF THE JOB PROTECTION LAWS BY A -- CONSPIRACY WHICH INCLUDED MANUFACTURED EVIDENCE BEARING OUR SIGNATURS WHICH WE ARE YET TO SEE FIVE YEARS AFTER THE FACT.

SINCE THE STATE LEGISLATURE DETERMINED THAT A TEACHER WITH THREE YEARS OF SATISFACTORY SERVICE WITH THE SAME LOCAL SCHOOL BOARD HAD EARNED THE RIGHT OF TENURE AND PROTECTION FROM LOSS OF JOB BY SOME VINDICTIVE SCHOOL PRINCIPAL OR SCHOOL SUPERINTENDENT PRIOR TO A -- NOTICED HEARING,THEN ABERNATHY AND LEWIS SHOULD NOT BE ALLOWED BY THIS COURT TO MAINTAIN THE TERMINATION OF OUR EMPLOYMENT ACCOMPLISHED BY A CONSPIRACY WITH MANUFACTURED EVIDENCE FOR IF THEY ARE SO -- ALLOWED TO USURP THE LAW THEN NO TEACHER'S JOB PROTECTION RIGHTS IN ABERNATHY'S SCHOOL SYSTEM HAS THE PROTECTION OF INTENDED LAWS.

IT WOULD BE MOST UNUSUAL FOR A SCHOOL SUPT.TO BE ABLE TO GATHER ENOUGH VALID & FACTUAL EVIDENCE IN ONE NINE MONTHS SCHOOL YEAR TO WARRANT TERMINATING THE EMPLOYMENT OF A TEACHER WITH 30 YEARS OF - SERVICE WITH THE SAME LOCAL SCHOOL BOARD.WHY HAD'NT ABERNATHY BEEN ABLE TO WARRANT TERMINATING OUR EMPLOYMENT BEFORE WE ADVISED HIM - THAT HIS AFFAIR WITH OUR FORMER WIFE WOULD HAVE TO CEASE.SHE RESIGNED FROM ABERNATHY'S EMPLOYMENT AND LEFT TOWN AND WE WERE FIRED IN THE SAME SCHOOL YEAR THAT WE MADE THAT AFFAIR AN ISSUE.

ABERNATHY AND LEWIS PROVED BY SEEKING A SECRET HEARING BY THE - COMMISSION THAT THEY LACKED THE EVIDENCE TO TERMINATE OUR EMPLOY-- MENT IN A SIXTH AMENDMENT PUBLIC,FAIR HEARING WHEN WE COULD BE REPRESENTED BY COUNSEL.IF WE CAN CONVINCE THIS COURT THAT WE WERE -- TERMINATED BY THE LOCAL BOARD ON APRIL 12,1976 VIA A CONSPIRACY IN SUCH MANNER THAT DEPRIVED US OF DUE PROCESS THEN IT MAKES NO DIFFERENCE THAT THE DENIAL OF DUE PROCESS WAS FIVE YEARS AGO BECAUSE A JUDGMENT OBTAINED VIA CONSPIRACY CANNOT STAND.IT IS ALSO TRUE THAT THIS COURT HAS JURISDICTION PURSUANT TO 28 USC # 1252 TO REVIEW -- THIS ENTIRE PROCEEDING STARTING WITH APRIL 12,1976 TERMINATION OF EMPLOYMENT.

ONE REASON WHY THE COMMISSION'S HEARING RECORD REVELANT TO THIS MATTER BEING A FRAUD IS THAT IT WAS FRAUDULENTLY DESIGNED TO SHOW THE PRESENCE OF A COMMISSION HEARING PANEL,BUT A REVIEW OF THE RECORD SHOWS THAT NO HEARING PANEL WAS PRESENT WHEN THE COMMISSION COMPILED THE HEARING RECORD. TO WIT: SCHOOL BOARD ATTORNEY,LEWIS, IS DEPICTED ON TRANSCRIPT PAGE 11"SPEAKING" TO A HEARING PANEL AS HE PROMISES THEM THAT HE WILL USE DOCUMENTS "THROUGHOUT THE CROSS-EXAMINATION" OF MR.PATTERSON AND THAT HE WILL SHARE COPIES OF EACH DOCUMENT SO --- THAT --- THE PANEL CAN FOLLOW HIS CROSS-EXAMINATION OF THE APPELLANT.

MR.LEWIS DID NOT USE DOCUMENTS THROUGHOUT OUR FRAUDULENTLY --ATTRIBUTED TESTIMONY,AND IN FACT,THE RECORD REVEALS THAT HE CONFRONTED US WITH ONLY TWO DOCUMENTS WHICH HE CAN PRODUCE FROM THE COURT'S COPY OF THIS RECORD.WHY DID'NT LEWIS HONOR HIS PROMISE TO THE HEARING PANEL?

WELL,YOUR HONOR,HE STATED THAT THE PANEL WOULD SEE ONLY THE DOCUMENTS WHICH HE UTILIZED TO CROSS-EXAMINE US AND SINCE HE DID NOT CONFRONT US,EVEN WITH THE TWO DOCUMENTS SHOWN IN OUR ATTRIBUTED TESTIMONY,THEN LEWIS COULD'NT SHARE WITH THE PANEL BECAUSE NEITHER OF US WAS PRESENT AT THE TIME THE RECORD WAS COMPILED.

THEREFORE,SINCE LEWIS DID NOT CONFRONT US AS HE PROMISED WE COULD HAVE SHOWN IN JUDGE HENDERSON'S COURT THAT WE WERE ABSENT, BUT HENDERSON RULED THAT WE COULD NOT HAVE ACCESS TO THE HEARING RECORD AT "TRIAL?" FOR C.A.NO.78-31-N & C.A.NO.78-47-N AND THAT IS REASON ENOUGH FOR THIS COURT TO GRANT US RELIEF.

IN THIS CASE,APPELLANT HAS BEEN DENIED DUE PROCESS AT EVERY STEP OF THE LONG FIVE YEAR PROCEEDINGS AND HIS RIGHT TO A FAIR - TRIAL IN HENDERSON'S COURT WAS DENIED BY A CONSPIRACY BETWEEN THE COURT AND APPELLEES IN WHICH HENDERSON SHOWED THAT HE KNEW FROM A REVIEW OF THE RECORD THAT IF HE AFFORDED US DUE PROCESS REVELANT TO DISCOVERY RIGHTS THAT WE COULD TAKE THE JUDGMENTS FOR BOTH C.A.NO. 78-31-N & C.A.NO.78-47-N AND IN THAT CASE NINE PEOPLE WOULD HAVE BEEN INDICTED FOR CONSPIRACY,FRAUD AND BRIBERY,NOT TO MENTION SUBORNED PERJURY.THUS,THIS COURT SHOULD DEMONSTRATE TO THE APPELLEES THAT THEY CAN NOT TAKE A PERSON'S JOB BY FRAUDULENTLY USING THE FEDERAL COURTS AND THAT'S REASON ENOUGH TO GRANT US RELIEF.

WE ARE ENTITLED TO RELIEF BY REASON OF THE FACT THAT ABERNATHY, LEWIS AND COMMISSION OFFICERS SHOULD BE MADE AWARE OF THE FACT THAT THE COMMISSION CAN NOT GO"OVER THE STATE OF GEORGIA"FIRING ANY --- TEACHER WHO HAS A PROBLEM WITH A VINDICTIVE SUPERINTENDENT.

ABERNATHY,LEWIS AND COMMISSION OFFICERS SHOULD BE MADE AWARE OF THE FACT THAT THEY CANNOT MAINTAIN JUDGMENTS STOLEN BY A FRAUDULENT PROTECTIVE ORDER BY GOING TO THE FIFTH CIRCUIT COURT OF APPEALS AND ENTICING WINDHORST TO PREVENT US FROM EFFECTING AN APPEAL OF THOSE STOLEN JUDGMENTS AND WINDHORST'S FRAUDULENT CONDUCT IS REASON ENOUGH TO GRANT THIS APPELLANT RELIEF.

A FEDERAL JUDGE IS REQUIRED TO BE NEUTRAL. HOWER,JUDGE TIDWELL'S DISMISSAL ORDER FOR C.A.NO.79-106-N WITH AN INJUNCTIVE CLAUSE TACKED ONTO IT ALLEGING THAT ALL CLAIMS IN THAT ACTION HAD BEEN ADJUDICATED IN HENDERSON'S COURT WAS AN ORDER FROM A DISHONEST JUDGE WHOSE ONLY INTEREST WAS IN COVERING UP FOR HENDERSON AND THE APPELLEES.IT MUST BE NOTED AS A REASON FOR RELIEF THAT TIDWELL DID NOT DISMISS OUR --- ACTION BEFORE HE HAD ENTERED AN ORDER FOR A CONSENT JUDGMENT AND NOT BEFORE HE WAS FULLY AWARE OF THE FACT THAT THE APPELLEES COULD NOT CONTROVERT OUR MOTION FOR SUMMARY JUDGMENT. "DUE PROCESS CLAUSE REQUIRES THAT COURT BE IMPARTIAL"[PER WINTER,CIRCUIT JUDGE,WITH ONE JUDGE CONCURRING IN PART"] U.S.V.KARNES (C.A.VA.1978) 531 F.2D 214.

IT IS SUBMITTED THAT THE ONLY REASON WHY THE DISTRICT COURT REFUSES US A CONTEMPT TRIAL IS THAT THE COURT KNOWS THAT WE CAN SHOW THAT THE UNDERLYING ORDER,NO.C79-106-N,IS A FRAUD,AND IN THAT CASE WE ARE THEN ENTITLED TO BE COMPENSATED BY THE APPELLEES. "JUDGMENT OF CIVIL CONTEMPT,BEING REMEDIAL IN NATURE,STANDS OR FALLS WITH - VALIDITY OR INVALIDITY OF ORDER,AND OPPOSING PARTY (WHICH WAS TRIED VIA C.A.NO.80-1236-A) SHOULD BE COMPENSATED ONLY IF HE WAS ENTITLED TO THE ORDER" LEWIS V.S.S.BAUNE,(C.A.LA.1976) 534 F.2D 1115.

THUS,THE REASON WHY WE ARE DENIED A CONTEMPT TRIAL IS BECAUSE THE COURT KNOWS THAT WE CAN SHOW THAT WE WERE ENTITLED TO BOTH SUMMARY AND CONSENT JUDGMENT AND THAT THE INJUNCTIVE CLAUSE TACKED ONTO THE ORDER FOR CASE NO.C79-106-N WILL NOT STAND THE TEST REQUIRED BY PROVISIONS OF FRCP RULE 65(a)(1) & 65(b). THUS,THE FACT THAT TIDWELL CHEATED US IS REASON ENOUGH FOR THIS COURT TO GRANT US RELIEF.

THEREFORE,THE FACT OF THE MATTER IS THAT THE COURT DENIES US A DUE PROCESS HEARING,THE APPELLATE COURT TOO, IN ORDER TO PROTECT THE COURT AND APPLLEES FROM HAVING TO COMPENSATE US FOR THEIR HAVING STOLEN THE JUDGMENTS FOR C.A.NO.78-31-N,C.A.NO.78-47-N & C.A.NO. 79-106-N.

THE COURT HAS THE POWER UNDER 28 USC # 1651(a) TO ORDER THE COURT TO GRANT US THE JUDGMENTS FOR SEVERAL CASES, BUT OUR REASON FOR --- APPEALLING TO THIS COURT IS TO SEEK A PUBLIC HEARING IN ORDER THAT THE COMMISSION'S CONSPIRACY WITH LEWIS, ABERNATHY, FRANKEL AND GORDON WILL FINALLY BE EXPOSED. "AS A GENERAL RULE, RIGHT TO A PUBLIC TRIAL, TAKEN TOGETHER WITH RIGHT TO DUE PROCESS, INCLUDES A RIGHT OF BOTH DEFENDANTS AND THEIR COUNSEL TO BE PRESENT AT ALL STAGES OF TRIAL FROM ARRAIGMENT TO VERDICT AND DISCHARGE OF JURY." AMENDS. 5,6-POLIZZI V.U.S. (C.A.CAL.1976) 550 F.2D 1133.

SINCE WE WERE NOT PRESENT ON APRIL 12,1976 OR LATER WHEN THE - COMMISSION COMPILED ITS HEARING RECORD REVELANT TO THIS MATTER AND - SINCE JUDGES HENDERSON AND TIDWELL CHEATED US OUT OF JUDGMENTS WHICH WE WERE RIGHTFULLY DUE, WE ARE ENTITLED TO A DUE PROCESS HEARING - WITH COUNSEL BEFORE A JURY AND THAT REASON HAS BEEN AMONG OTHER --- REASONS WHICH BROUGHT THIS MATTER BEFORE THIS COURT. WHY A JURY? BECAUSE EVERY JUDGE ON THE BENCH OF THE FIFTH CIRCUIT AND THE DISTRICT COURT ARE DEICATED TO COVERING UP FOR HENDERSON, THE COURT AND OTHER APPELLEES.

THEREFORE, WE FURTHER SUBMIT THAT DISTRICT COURT JUDGE VINING - CAN'T PROTECT THE APPELLEES FROM BEING SUED FOR HAVING FILED FRAUDULENT CONTEMPT CHARGES AGAINST US BY PROVISIONS OF 28 USC # 1651(a) AS HE CLAIMS BY HIS ORDER ENTERED ON OCTOBER 2,1980 AND WE MOVE THIS COURT TO SO RULE.

WHEREFORE, THE APPELLANT HAS BEEN FORCED TO FIGHT DEPRIVATION OF HIS CIVIL RIGHTS SINCE APRIL 12,1976 WITHOUT REPRESENTATION BY LEGAL COUNSEL BECAUSE LOSS OF HIS EMPLOYMENT LEFT SUCH A BAD STIGMA -- ATTACHED TO HIS REPUTATION UNTIL THE JOB MARKET HAS BEEN CLOSED TO HIM SINCE JUNE 1976. NOT MANY PEOPLE ARE CHARGED WITH "LYING UNDER OATH" WHEN HE/SHE WAS NOT EVEN PRESENT TO HAVE LIED UNDER OATH. NO EMPLOYER WILL KNOWINGLY EMPLOY A PERSON PUBLICLY BRANDED AS A CONVICTED LIAR UNDER OATH. THUS, THIS COURT SHOULD RESTORE OUR CIVIL -- RIGHTS AND WITH THEM THE RIGHT TO BE EMPLOYED.

RESPECTFULLY SUBMITTED,

James Patterson

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CONCLUSIONS

APPELLANT IS ENTITLED TO COURT APPOINTED COUNSEL AND A "SPEEDY" FULL, IMPARTIAL JURY TRIAL ON THE ORDER ENTERED ON AUGUST 7,1980 REQUIRING HIM TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN CONTEMPT FOR HAVING ALLEGEDLY VIOLATING THE INJUNCTIVE CLAUSE TACKED ONTO DISMISSAL ORDER NO.C79-106-N IN VIOLATION OF DUE PROCESS MANDATED BY FED R CIV P RULES # # 65(a)(1) & 65(b);AND (2) APPELLANT IS ENTITLED TO A PUBLIC JURY TRIAL IN WHICH HE IS AFFORDED THE DUE PROCESS RIGHT TO MEET AND REBUT THE EVIDENCE WHICH LEWIS AND ABERNATHY - MANUFACTURED AND THEN FORGED OUR SIGNATURES THEREON AND THEN USED IT TO INFLUENCE THE TROUP COUNTY, LAGRANGE, GA., BD.OF EDUCATION, TO TERMINATE OUR EMPLOYMENT ON APRIL 12,1976 IN OUR ABSENCE, AND WHICH THEY LATER PRESENTED TO THE COMMISSION AT THE JULY 1976 SECRET HEARING HELD BY THE COMMISSION TO COMPILE A HEARING RECORD THAT WOULD SUPPORT THE LOCAL BOARD'S VIOLATION OF OUR DUE PROCESS RIGHTS ON - APRIL 12,1976.THUS BY CONSPIRACY APPELLANT'S EMPLOYMENT WAS TERMINATED ON APRIL 12,1976 BY ABERNATHY'S AND LEWIS' FRAUDULENT IN--- FLUENCE OVER THE LOCAL BOARD AND BY SEVERAL CONSPIRACIES SINCE APRIL 12,1976 THEY HAVE HELD ONTO THEIR THEFT OF OUR EMPLOYMENT AFTER THIRTY YEARS SERVICE WITH THE TROUP COUNTY SCHOOL BOARD. FOR RIGHT TO JURY TRIAL, SEE, CURTIS V.LOETHER (1974) 415 US 189; SIMLER V.CONNER (1963) 372 US 221,83 SCT 609,9 LE2D 691 ; PERNELL V.SOUTHALL REALTY (1974) 416 US 363,375,94 SCT 1723,40 LE2D 198.

APPELLANT RESPECTFULLY MOVES THIS COURT TO ENTER AN ORDER GRANTING HIM A JURY TRIAL WITH COUNSEL ON THE MERITS OF C.A.NO.79-106-N AND C.A.NO.80-1236-A, AND ON THE MERITS OF THE PENDING SHOW CAUSE-- ORDER.

RESPECTFULLY SUBMITTED,

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DATED: 5/13/81 .

AUTHORITIES

GEORGIA SCHOOL CODE ANN.# 32-662a(b) STATES VERBATIM: "ANY OTHER PROVISIONS OF THIS CHAPTER OR ANY OTHER LAWS TO THE CONTRARY NOT - WITHSTANDING, LOCAL BOARDS OF EDUCATION SHALL TENDER A NEW CONTRACT OF EMPLOYMENT FOR THE ENSUING SCHOOL YEAR TO EVERY TEACHER ON THE PAYROLL OF THE LOCAL SCHOOL SYSTEM AT THE BEGINNING OF THE PRECED-ING SCHOOL YEAR, --- EXCEPT --- TEACHERS WHO HAVE RESIGNED OR WHO-- HAVE BEEN TERMINATED --- BY APRIL 15 --- OF EACH YEAR--- OR --- NOTIFY --- ANY SUCH TEACHER THAT THEY ARE NOT GOING TO REHIRE HIM --- FOR THE ENSUING SCHOOL YEAR." "THE NOTIFICATION SHALL BE IN -- WRITING."

THEREFORE, WE SUBMIT TO THIS COURT THAT SUPT. ABERNATHY TENDERED TO US A HAND DELIVERED LETTER BY A THIRD PARTY DATED APRIL 13,1976 IN WHICH HE STATED VERBATIM: "YOUR CONTRACT OF EMPLOYMENT FOR SCHOOL YEAR 1976-1977 HAS NOT BEEN RENEWED." PERIOD.

WE FURTHER SUBMIT THAT ABERNATHY AND LEWIS CONSPIRED TO TERMINATE OUR EMPLYMENT IN THE ABSENCE OF DUE PROCESS IN THAT WE WERE NOT AF-FORDED A HEARING BEFORE THE BOARD COMPLIED WITH THE ABOVE LAW AND VOTED PRIOR TO APRIL 15,1976 NOT TO "REHIRE HIM FOR THE ENSUING - SCHOOL YEAR." THEY THEN INFLUENCE ATTORNEY FRANKEL AND THE COMMISSION OFFICERS TO HOLD A SECRET HEARING AND SUPPORT THE BOARD'S VIOLATION OF OUR DUE PROCESS RIGHTS. ABERNATHY HAD ABOUT AS MUCH CHANCE OF -- FIRING US IF PRESENT AS A SNOW-BALL HAS IN H---.

"THE SUPREME COURT'S JURISDICTION UNDER 28 USC # 1252 DOES NOT DEPEND ON WHETHER THE LOWER COURT HAD JURISDICTION, SINCE AN APPEAL UNDER # 1252 BRINGS THE ENTIRE MATTER BEFORE THE SUPREME COURT AND NOT ONLY THE CONSTITUTIONAL QUESTIONS." MCLUCAS V. DECHAMPLAIN (1975) 421 US 21,95 SCT 1365,43 LE2D 699. THUS, WE HAVE PRESENTED THE COM-PLETE HISTORY OF THIS MATTER FOR A REVIEW BY THIS COURT.

GA. SCHOOL CODE ANN.# 32-2101c(b)-NOTICE- PROVIDES THAT: "BEFORE-BEFORE, BEFORE, THE DISCHARGE OR SUSPENSION OF A TEACHER, PRINCIPAL OR OTHER EMPLOYEE HAVING A CONTRACT OF EMPLOYMENT FOR A DEFINITE TERM, WRITTEN-WRITTEN NOTICE OF THE CHARGES SHALL BE GIVEN AT LEAST TEN (10) DAYS SET BEFORE-BEFORE THE DATE SET FOR--- HEARING, AND SHALL STATE:"

WE SUBMIT TO THIS COURT THAT ABERNATHY AND LEWIS INFLUENCED THE LOCAL BOARD TO VIOLATE OUR DUE PROCESS RIGHTS CITED IN "NOTICE" A-BOVE IN THAT "NOTICE" REQUIRED THE LOCAL BOARD TO AFFORD US A HEARING "BEFORE"--"BEFORE" IT VOTED ON APRIL 12,1976 NOT TO RENEW OUR CON-TRACT OF EMPLOYMENT "FOR THE ENSUING SCHOOL YEAR." IT IS CLEAR THAT CODE # 32-662a(b) CITED ABOVE MANDATED THAT THE BOARD EITHER HAD TO TENDER US A NEW CONTRACT OF EMPLOYMENT OR ADVISE IN WRITING BY AP-RIL 15,1976 THAT WE WERE NOT REHIRED FOR THE "ENSUING SCHOOL YEAR."

THE FEDERAL APPELLANT COURTS HAVE HELD THAT: "CONSTITUTIONAL DUE PROCESS REQUIRES THAT A PERSON BE GIVEN A HEARING WHEN THE GOVERNMENT SEEKS TO TERMINATE THAT PERSON'S PROTECTED INTEREST IN EITHER "LIBERTY" OR "PROPERTY";BUT OUR "PROPERTY"WAS TAKEN BY A COUNTY GOVERNAMENTAL AGENCY ON APRIL 12,1976 IN THE ABSENCE OF REQUIRED - DUE PROCESS.SEE,ONG V.TOVEY,(C.A.CAL.1977) 552 F.2D 305.

"DUE PROCESS CLAUSE REQUIRES --- HEARING --- BEFORE CANCELLATION OF EXISTING "PROPERTY"INTEREST", BUT ABERNATHY AND LEWIS CONSPIRED TO DENY US A "HEARING"BEFORE THEY INFLUENCED THE LOCAL SCHOOL BOARD TO TERMINATE OUR "EXISTING PROPERTY INTEREST" AND THEN THEY CONTINUED THEIR CONSPIRACY BY INFLUENCING THE STATE COMMISSION NOT TO LET US BE PRESENT WHEN IT COMPILED A FIRING RECORD FOR ABERNATHY AND -- LEWIS.YOU SEE,YOUR HONOR,IF THE COMMSSION HAD NOT APPROVED THE LOCAL BOARD'S VIOLATION OF OUR DUE PROCESS RIGHTS ,THEN,ABERNATHY WAS IN- "HOT WATER"WITH HIS BOARD.PAN AMERICAN AIRWAYS V.MARSHALL(D.C.N.Y.) U.S.C.A.CONST.AMEND.14- 439 F.SUPP.487.

"ALTHOUGH EMPLOYER MAY BE ENTITLED TO DISCHARGE EMPLOYEE FOR ANY REASON,DUE PROCESS REQUIRES HEARING WHERE EMPLOYER STIGMATIZES PERSON AS MENTAL ILL,FRAUDULENT,OR UNTRUTHFUL" ABERNATHY TOLD HIS BOARD THAT WE WERE SO MENTALLY ILL UNTIL WE COULD NOT FUNCTION ON ANY JOB WITH THE LOCAL SCHOOL BOARD.HE ALSO MADE THE WRITTEN CHARGE THAT WE WERE FRAUDULENT,NOT TRUSTWORTHY, AND WAS GENERALLY DISHONEST" HE -- MADE ALL OF THOSE DETERMINATION IN SCHOOL YEAR 1975-1976 BECAUSE BEFOR THAT SCHOOL YEAR THERE WAS NO COMPLAINT IN OUR PERSONNEL FILE FROM EITHER ABERNATHY OR THE BOARD. SEE,OSMER V.MOILES,(D.C.MICH.1975)U.S.C.A.CONST.AMEND.14-42 U.S.CA.# 1983-409 F.SUPP.675.

"WHERE EMPLOYMENT DISCHARGE DEPRIVES EMPLOYEE OF INTEREST IN LIBERTY BECAUSE DISCHARGE IMPOSES UPON EMPLOYEE STIGMA WHICH FORECLOSES FUTURE EMPLOYMENT OPPORTUNITIES,EMPLOYEE,TO MEET DUE PROCESS, MUST BE ACCORDED HEARING WITH PROCEDURAL rights AND PROTECTION"SEE,GIORDANO V.ROUDEBUSH,(C.A.IOWA 1971) U.S.C.A.CONST.AMENDS.5-14- 448 F.SUPP. 899. WHEN ABERNATHY IS "YOUR LAST EMPLOYER"THEN ONE CAN UNDERSTAND WHY THE JOB MARKET HAS BEEN CLOSED TO US SINCE JUNE 1976.EVEN THE LT.GOVERNOR OF GEORGIA COULD'NT GET US A JOB BECAUSE OF ABERNATHY BEING OUR "LAST EMPLOYER"

"TRUTH OR FALSITY OF CHARGES MADE IN CONNECTION WITH DISCHARGE OF --- NONTENURED TEACHER --- IS NOT SOLE DETERMINANT OF EMPLOYEE'S RIGHT TO DUE PROCESS HEARING,EMPLOYEE'S RIGHT TO RELIEF FOR ------ --- DENIAL OF PRETERMINATION HEARING --- DEPENDS ON WHETHER BOARD'S REASONS FOR HIS NONRENEWAL REFLECTED ON OR IMPARED EMPLOYEE'S -- GOOD NAME,REPUTATION,HONOR,OR INTEGRITY;WHETHER REASONS WERE MADE PUBLIC; AND WHETHER EMPLOYEE ALLEGED THAT SUCH REASONS WERE SUB-- STANTIALLY FALSE OR INACCURATE" SEE,LOVE V.SESSIONS,(C.A.GA.1978) 568 F.2D 357. SUFFICE IT TO SAY THAT ABERNATHY AND THE COMMISSION PUBLICLY DESTROYED US.THEY DROVE US INTO A LONG PERIOD OF DEPRESSION REQUIRING WEEKLY VISITS TO OUR PSYCHIATRIST.THE DROVE UN INTO BANKRUPTCY. ABERNATHY ALSO DESTROYED A 28 YER OLD MARRIAGE.SO,THE CITED AUTHORITY "COVERED"OUR SITUATION"AFTER ABERNATHY"

25. ABERNATHY WENT TO THE NEWS MEDIA WITH HIS INSULTING CHARGES AGAINST US AND THAT MADE US A BECUSE.

"PERSON MAY NOT BE DEPRIVED OF HIS PROPERTY OR INTEREST BY - STATE OR ITS OFFICALS WITHOUT FUNDAMENTALS OF PROCEDURAL DUE PROCESS, INCLUDING A HEARING BEFORE AN IMPARTIAL DECISION MAKER AFTER NOTICE OF CHARGES AND WITH AN OPPORTUNITY TO PRESENT HIS OWN CASE." SEE, SCHRANK V. BLISS, (D.C.FLA.1976) 412 F.SUPP.28.

WELL, SIR, THE GA. PROFESSIONAL PRACTICES COMMISSION IS AN AGENCY OF THE STATE OF GEORGIA GOVERNMENT AND THE COMMISSION MUST DEFINITELY TOOK MY JOB BY HOLDING A SECRET HEARING TO AFFIRM THE LOCAL BOARD'S THEFT OF MY "PROPERTY" RIGHT ON APRIL 12, 1976. IN THE FIRST INSTANCE, THE TROUP COUNTY BOARD OF EDUCATION RECEIVES AND SPENDS STATE MONEY AND SO THE "BOARD" IS AN AGENCY OF THE STATE GOVERNMENT.

"RIGHT OF MOVANT DEFENDANT TO SUBPOENA WITNESSES AFFORDED BY RULE RESTS ULTIMATELY ON SIXTH AMENDMENT GUARANTEE OF COMPULSORY PROCESS; ADDITIONALLY THE RIGHT IS A FUNDAMENTAL ELEMENT OF DUE PROCESS" U.S. C.A. CONST. AMEND. 6- THOR V.U.S. (C.A.TEX.1978) 574 F.2D 215.

SO, WHEN JUDGE HENDERSON RULED THAT WE COULD NOT SUBPOENA THE - THE THREE PARTIES WHOM COMMISSION OFFICERS CLAIMED WERE PRESENT WHEN IT COMPILED THE RECORD OF THIS MATTER, HE FURTHER DENIED US DUE PROCESS WITH CASES NOS. C78-31-N & C78-47-N. WE INTENDED TO PROVE BY THE TESTIMONY OF THOSE THREE PERSON THAT NEITHER THEY OR WE WERE PRESENT WHEN THE COMMISSION COMPILED ITS HEARING RECORD REVELANT TO THIS - MATTER. THUS, NOT ONLY DID HENDERSON CHEATE US WITH A FRAUDULENT PROTECTIVE ORDER HE MADE IT IMPOSSIBLE FOR US TO PRESENT OUR CASE. "RIGHT TO ADEQUATELY PREPARE DEFENSE (CASE) IS A FUNDAMENTAL ELEMENT OF DUE PROCESS" SEE, CURRY V. ESTELLE (D.C.TEX.1975) U.S.C.A.CONST. AMEND. 5-14- 412 F.SUPP.198-AFFIRMED 531 F.2D 1260.

WHY DO YOU SUPPOSE THAT FEDERAL JUDGE HENDERSON CONSPIRED TO DENY OUR DISCOVERY RIGHTS AND RIGHT TO CALL WITNESSES? THE ANSWER IS VERY SIMPLE. HE KNEW IF AFFORDED THOSE DUE PROCESS RIGHTS THAT WE COULD - SHOW THAT WE WERE ABSENT WHEN THE COMMISSION COMPILED THE HEARING RECORD REVLANT TO THIS MATTER. NEITHER DID HE WANT TO SEE ABERNATHY AND STATE OFFICERS FOUND GUILTY OF CONSPIRACY, FRAUD AND BRIBERY.

"SIXTH AMENDMENT RIGHT TO COUNSEL RUNS EITHER DIRECTLY AGAINST THE FEDERAL GOVERNMENT OR INDIRECTLY AGAINST A STATE GOVERNMENT VIA THE DUE PROCESS CLAUSE OF THE FOURTEENTH AMENDMENT" U.S.V.CHILDS U.S.C.A.CONST.AMEND.6-(C.A.FLA.1977) 571 F.2D 315. IT IS A FACT THAT OUR RIGHT TO COUNSEL HAS BEEN DENIED FOR FIVE YEARS, BUT SINCE AUGUST 7, 1980 WHEN THE COURT ORDERED US TO SHOW WHY WE WERE NOT IN GUILTY OF CONTEMPT THE DISTRICT AND APPELLATE COURTS HAVE REFUSED TO ENTER A RULING ON OUR MOTION FOR COUNSEL. THUS, WE COME BEFORE THIS COURT - SEEKING THE RELIEF OF COURT APPOINTED COMPETENT COUNSEL.

"CIVIL CONTEMPT IS ESTABLISHED ONLY WHEN IT IS PROVED BY CLEAR & CONVINCING EVIDENCE THAT THERE IS A VALID ORDER AND THAT SUCH ORDER WAS VIOLATED" C.A.NO.79-106-N IS NOT A "VALID ORDER" FOR THE REASONS THAT JUDGE TIDWELL CHEATED US OUT OF OUR RIGHT TO SUMMARY JUDGMENT AND CONSENT JUDGMENT WITH THAT ACTION. SEE, U.S.V.AMERICAN SOC.CIVIL ENG. (D.C.N.Y.1977) 446 F.SUPP.803.

ADDENDUM-ADDENDUM

IN ORDER THAT THIS COURT MAY KNOW THE FRAUDULENT CONDUCT OF THE DEFENDANTS,WE OFFER THIS CONCISE DESCRIPTION OF EACH.

1. JEFFERY SMITH WROTE THE UNSIGNED FRAUDULENT PROTECTIVE ORDER WHICH IS ATTACHED AND THE SECOND COPY OF THAT FRAUD SHOWS THAT JUDGE HENDERSON SIGNED IT.PLEASE NOTE THE PERJURY THAT WE WERE REPRESENTED BY LEGAL COUNSEL WHICH HENDERSON'S SIGNATURE WAS AFFIXED TO

2. WILLIAM HOFFMAN CONSPIRED WITH JUDGE SHOOB TO GET C.A.NO.80-1236-A QUASHED BY MRANS OF AN EX PARTE MOTION IN WHICH HOFFMAN ASKED JUDGE SHOOB TO NOT LET THAT COMPLAINT BE SERVED-AND SO IT WAS NOT. SINCE IT WAS NOT SERVED ON A SINGLE DEFENDANT THEN HOW DID HOFFMAN LEARN THAT WE WERE TRYING TO FILE C.A.NO.80-1236-A UNLESS SHOOB INFORMED HIM? HOFFMAN ALSO MOVED THE COURT TO CITE US FOR CONTEMPT.

3. WE HAVE ALREADY ACCOUNTED FOR THE FRAUDULENT CONDUCT OF GORDON AND FRANKEL,ABERNATHY AND LEWIS.

4. RALPH JOHNSON IS ABERNATHY'S "BOSOM BUDDY AND A SCHOOL PRINCIPAL AND THE SECRETLY COMPILED HEARING RECORD SHOWS THAT JOHNSON TESTIFIED FALSELY AGAINST ME AND PRESENTED EXHIBITS ADVERSELY TO MY RIGHT TO DUE PROCESS.

5. LET US ALSO STATE THAT HOFFMAN ALSO FILED WHAT HE KNEW TO BE - FRAUDULENT CONTEMPT CHARGES AGAINST US THEN WENT TO WORK TO PREVENT US FROM BEING BROUGHT TO TRIAL ON HIS FRAUDULENT CHARGES.

6. NEIL GUNTER AND WESLEY BOYD ARE EMPLOYEES OF THE STATE DEPT.OF EDUCATION AND I HAVE SEEN GUNTER ONE TIME IN MY LIFE AND BOYD HAS BEEN SEEN BY US TWICE.NEVERTHELESS THAT TESTIFIED FALSELY AGAINST US AND PRESENTED OTHER EVIDENCE TO THE SECRET HEARING.

7. HANS J.SCHACHT(SHOT) IS EXECUTIVE DIRECTOR,GA.PROFESSIONAL PRACTICES COMMISSION,WHO CONDUCTED THE SECRET HEARING FOR ABERNATHY AND HIS WITNESS AGAINST US.

8. JOHN HINCHEY IS LISTED IN THE COMMISSION HEARING RECORD OF THIS MATTER AS THE HEARING EXAMINER FOR THE SECRET HEARING.

9. UNITED STATES DISTRICT COURT-NORTHERN DISTRICT OF GEORGIA.IF WE MUST STATE AT THIS POINT WHY THE COURT IS A DEFENDANT WE HAVE -- DONE A BAD JOB WITH THIS JURISDICTIONAL STATEMENT.

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta
JAN 6 1981
BEN H. CARTER, Clerk
By: M Hall Deputy Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT
UNIT B

U.S. COURT OF APPEALS
FILED
DEC 29 1980
GILBERT F. GANUCHEAU
CLERK

No. 80-8289
and 80-8290

JAMES E. PATTERSON,

Petitioner,

v. No. C79-106-N

OTIS J. ABERNATHY,
HANS J. SCHACHT, et al.,

Respondents.

****

JAMES E. PATTERSON,

Petitioner,

v. No. C80-1236-A

Exhibit C

OTIS J. ABERNATHY and
THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA, et al.,

Respondents.

Appeal from the United States District Court for the Northern District of Georgia

Before HILL, FAY and ANDERSON, Circuit Judges.

BY THE COURT:

Appellant previously filed documents in this court, which were close to being unintelligible. We studied the documents carefully, and attempted a liberal construction thereof, which resulted in our order entered on October 23, 1980. Our October 23, 1980, order liberally construed appellant's documents as a timely (i.e., filed on September 4, 1980) notice of appeal from Judge Tidwell's order on August 7, 1980, in

civil action numbered in the court below as C79-106-N, and as a timely notice of appeal from Judge Shoob's order on August 8, 1980, in civil action numbered in the court below as C80-1236-A. Our October 23, 1980, order dismissed the appeal from the order in civil action no. C79-106-N as not being ripe for appeal, but ordered that the appeal from Judge Shoob's August 8, 1980, order in civil action no. C80-1236-A be marked as having been filed on September 4, 1980, and further directed the district court to consider appellant's application to proceed in forma pauperis in C80-1236-A. Subsequently, Judge Shoob, on October 29, 1980, entered an order denying appellant's motion for leave to proceed on appeal in forma pauperis pursuant to Fed.R.App.P. 24(a), finding that appellant's appeal was not taken in good faith and was frivolous.[1] how absurd.

---

[1]Except for our holding below that the appeals in these cases are not timely, we would have denied appellant's motion to proceed on appeal in forma pauperis. Evidence of malfeasance in office by a judge is never Timely -

---

Subsequent to our October 23, 1980, order[2], appellant on October 28, 1980, filed voluminous papers. Although these papers are again verbose and almost unintelligible, it is clear that appellant asserts that his only notice of appeal was filed on September 15, 1980. Since the only[3] orders appealed from were the August 7, 1980, order in civil action no. C79-106-N, and the August 8, 1980, order in civil action no. C80-1236-A, the September 15, 1980, notice of appeal was filed after the 30-day period allowed by Fed.R.App.P. 4. Accordingly, both appeals are hereby DISMISSED.[4]

[2]In light of this order dismissing the appeals, we hereby withdraw our order dated October 23, 1980.

I also appealed for Court appointed counsel but you refused to rule on that.

[3]Appellant may also be attempting to appeal from Judge Vining's order in C79-106-N, which order was dated August 28, 1980, and entered on September 2, 1980, and which order was attached to appellant's papers as Exhibit D. However, Judge Vining's order is merely an order continuing the time for the show cause hearing, and therefore is not an appealable order.

I appealed for a speedy trial

[4]Even if we should liberally construe appellant's document entitled "Motion to Disqualify Judge" as a petition for writ of mandamus to require the judge to disqualify himself, we would deny the petition as supported only by conclusory allegations and as devoid of merit.

the disqualifying statute do not permit you to question the affidavit. Read attached Exhibit B and rule again.

A True Copy
Attested:
Clerk, U.S. Court of Appeals, Fifth Circuit
By: Brenda Haines
Deputy Clerk
Atlanta, Ga. 12/29/80

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

UNIT B

U.S. COURT OF APPEALS
FILED
OCT 23 1980
GILBERT F. GANUCHEAU
CLERK

No. 80-8289

No. 80-8290

JAMES E. PATTERSON,

Petitioner

versus No. C79-106-N

OTIS J. ABERNATHY
HANS J. SCHACHT, et al.

Respondents

* * * * * * * * * *

JAMES E. PATTERSON,

Petitioner

versus No. C80-1236-A

EXHIBIT D

OTIS J. ABERNATHY and
THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA,
et al.

Respondents

Appeal from the United States District Court for the Northern District of Georgia

Before HILL, FAY and ANDERSON, Circuit Judges.

BY THE COURT:

IT IS ORDERED that the appeal by appellant from the order entered by Judge Tidwell on August 7, 1980, in the civil action numbered in the court below as C79-106-N, is dismissed, because, inter alia, it appears that the order is a show cause order requiring James E. Patterson to show cause why he should not be held in contempt, and it further appearing that the contempt hearing was to be held in the future. This dismissal is without prejudice to Mr. Patterson's right to appeal following a final judgment of contempt, if any.

appealed for a trial

the court ordered. (You see no evidence to the effect and in fact the district judge ruled no Trial. 2-10-81 JEP.

PLA

FFF

Jail been trying since 8/07/80 to show cause why I am not in contempt but Judge Vining ordered his clerk on 10/03/80 not to accept any more motions from me pending — a Trial. 1-30-81

U.S. COURT OF APPEALS
FILED
JAN 28 1981
GILBERT F. GANUCHEAU
CLERK

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

Nos. 80-8289

and 80-8290

Received by James Patterson on 2-6-81.

EXHIBIT. #2

JAMES E. PATTERSON,

Petitioner,

v.

OTIS J. ABERNATHY,
HANS J. SCHACHT, et al.

Respondents.

* * * * * * * * * *

JAMES E. PATTERSON,

Petitioner,

v.

OTIS J. ABERNATHY AND
THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA, et al.,

Respondents.

Appeal from the United States District Court for the

Northern District of Georgia

O R D E R :

These appeals having been dismissed for lack of jurisdiction by order of this court on December 29, 1980, the clerk is directed to return to Mr. Patterson any further pleadings in this matter until a final order shall have been rendered by the district court and a timely notice of appeal therefrom shall have been filed.

In other words, the appellate Court refuses to grant me a Contempt trial so that I can clear my name as a violator of a federal law. 2/9/81

It was Timely according to FRAP-26(c)

UNITED STATES CIRCUIT JUDGE

IN THE UNITED STATES SUPREME COURT

WASHINGTON, D.C.

JAMES E. PATTERSON---APPELLANT NO. 80-8289

VS.

HANS J. SCHACHT, NEIL GUNTER, WESLEY BOYD, JOHN HINCHEY, JAMES LEWIS, OTIS ABERNATHY, RALPH JOHNSON, KENNETH GORDON, THEODORE FRANKEL. --- APPLLEES

JAMES E. PATTERSON --- APPELLANT NO. 80-8290

VS.

OTIS ABERNATHY, RALPH JOHNSON, JAMES LEWIS, KENNETH GORDON, THEODORE FRANKEL, JEFFERY SMITH, WILLIAM E. HOFFMAN, JR., HANS J. SCHACHT, JOHN HINCHEY, NEIL GUNTER, WESLEY BOYD, & U.S. DIST. COURT-NORTHERN DISTRICT OF GEORGIA. --- APPELLEES

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT JAMES E. PATTERSON, APPELLANT ABOVE -- NAMED, APPEALS TO THE UNITED STATES SUPREME COURT FROM THE ORDER OF THE FIFTH CIRCUIT COURT OF APPEALS ENTERED IN THIS ACTION ON JANUARY 28, 1981.

RESPECTFULLY SUBMITTED,

James Patterson

JAMES E. PATTERSON, PRO SE
1004 VERNON STREET
LAGRANGE, GEORGIA 30240
[404] 882-8533

DATED: 2/25/81.

EXHIBIT

B R 1 1 9
(10/79)

United States Bankruptcy Court

For the NORTHERN District of GEORGIA

In re

JAMES E. PATTERSON

Debtor*

Case No. 80-00076N

DISCHARGE OF DEBTOR

It appearing that the person named above has filed a petition commencing a case under title 11, United States Code on MARCH 24, 1980, that an order for relief was entered under chapter 7 and that no complaint objecting to the discharge of the debtor was filed within the time fixed by the court [*or* that a complaint objecting to discharge of the debtor was filed and, after due notice and hearing, was not sustained], it is ordered that

1. The above-named debtor is released from all dischargeable debts.

2. Any judgment heretofore or hereafter obtained in any court other than this court is null and void as a determination of the personal liability of the debtor with respect to any of the following:

(a) debts dischargeable under 11 U.S.C. §523;

(b) unless heretofore determined by order of this court to be nondischargeable, debts alleged to be excepted from discharge under clauses (2), (4) and (6) of 11 U.S.C. §523(a);

(c) debts determined by this court to be discharged under 11 U.S.C. §523(d).

3. All creditors whose debts are discharged by this order and all creditors whose judgments are declared null and void by paragraph 2 above are enjoined from commencing, continuing or employing any action, process or act to collect, recover or offset any such debt as a personal liability of the debtor, or from property of the debtor, whether or not discharge of such debt is waived.

Dated: JULY 3, 1980

BY THE COURT

W H Drake Jr

Bankruptcy Judge

*Include here all names used by Debtor within last 6 years.

FIFTH CIRCUIT DENIED RIGHT TO APPEAL IN FORMA PAUPERIS TO AN UN-EMPLOYED, BANKRUPTED PERSON. 5/13/81/. Covering up for Judge Henderson.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

JAMES E.PATTERSON
PLAINTIFF,PRO SE

V.

HANS J.SCHACHT,ET AL.

CASE NO.C78-31-N

JAMES E.PATTERSON
PLAINTIFF,PRO SE

V.

OTIS J.ABERNATHY &
KENNETH L.GORDON

CASE NO.C78-47-N

EXHIBIT SC-1
Please note Date.

PLAINTIFF REFUSES TO SUBMIT A FURTHER BRIEF

THE COURT HAVING REQUESTED AT THE SO CALLED TRIAL FOR THE ABOVE-ENTITLED CASES ON NOVEMBER 20,1978 THAT FINAL BRIEFS BE SERVED ON OR BY NOVEMBER 25,1980 THE PLAINTIFF,PRO SE DECLINES TO COMPLY WITH SAID REQUEST FOR THE FOLLOWING REASONS.

2.

THE COURT HAS ALREADY GRANTED THE DEFENDANTS THE JUDGMENTS FOR BOTH CASES WHEN THE COURT PERMITTED THE DEFENDANTS TO ENTER A FRAUDULENT PROTECTIVE ORDER (P.O.) DESIGNED TO DENY ALL OF MY DISCOVERY RIGHTS WITH CASES IN WHICH ALL EVIDENCE CITED AGAINST ME BY THE GA. PROFESSIONAL PRACTICES COMMISSION (COMMISSION) CAME FROM 127 EXHIBITS WHICH THE COMMISSION CLAIMS BEARS MY SIGNATURES,BUT THE COMMISSION'S HEARING RECORD REVELANT TO THIS MATTER REVEALS THAT I WAS NOT CONFRONTED ON CROSS-EXAMINATION RESPECTIVE TO MY ALLEGED SIGNATURES ON THOSE CITED 127 EXHIBITS.

3.

THE P.O.ORDER CITED ABOVE IN PARAGRAPH NO.2 FALSELY STATES THAT AN ATTORNEY REPRESENTED THIS "PLAINTIFF,PRO SE" AT A DISCOVERY CONFERENCE IN THE COURT'S CHAMBERS ON JULY 26,1978,BUT THE JUDGE KNEW WHEN HE SIGNED THAT FRAUDULENT P.O. THAT NO ATTORNEY REPRESENTED US IN ANY SUCH DISCOVERY CONFERENCE AND THAT THIS PRO SE DID NOT ATTEND ANY SUCH DISCOVERY CONFERENCE AS THAT ALLUDED TO BY THE FRAUDULENT P.O.CONTRARY TO WHAT THE P.O.STATES THEIR CAN BE NO "PLAINTIFF,PRO SE"REPRESENTED BY LEGAL COUNSEL.

4.

THE COURT CONSPIRED WITH THE DEFENDANTS TO DENY MY RIGHT OF COMPULSORY PROCESS TO SUBPOENA THE COMMISSION HEARING PANEL THAT HEARD

THIS MATTER IN A PUBLIC TRIAL ON JULY 16,1976 SO THAT I COULD -- HAVE PROVEN BY THEIR TESTIMONY THAT THE COMMISSION'S TRANSCRIPT OF THIS MATTER IS NOT THAT OF THE PUBLIC HEARING.

5.

THE COURT CONSPIRED WITH THE DEFENDANTS TO PREVENT ME FROM TAKING DEPOSITIONS FROM THEM AND THE COMMISSION HEARING PANEL FOR THIS CASE.

6.

THE COURT DENIED ME DUE PROCESS AT THE SO CALLED TRIAL BY RULING THAT I COULD NOT UTILIZE THE COMMISSION'S COPY OF THE HEARING RECORD REVELANT TO THIS MATTER SO THAT I COULD SHOW THAT THE COMMISSION DENIED ME THE DUE PROCESS RIGHT OF CONFRONTATION ON CROSS-EXAMINATION RESPECTIVE TO THE EXHIBITS WHICH THE COMMISSION HAD PREVIOUSLY USED AGAINST ME ------ IN MY ABSENCE.

SC-1

7.

IT IS A TRAVESTY ON JUSTICE WHEN A FEDERAL JUDGE DISHONESTLY --- USES HIS AWESOME POWER TO SIGN AN ORDER WHICH FALSELY STATES THAT A LAWYER REPRESENTED US IN A DISCOVERY CONFERENCE IN CHAMBERS ON JULY 26,1978 WHEN THE COURT KNEW/KNOWS THAT THERE WAS NO SUCH DISCOVERY CONFERENCE AND THAT NO LAWYER REPRESENTED US WITH CASES NOS.C78-31-N AND C78-47-N. NO YOUR HONOR,I A PRO SE CANNOT WRITE A BRIEF THAT -- WILL OVER-COME SUCH A TRAVESTY ON JUSTICE AND SUCH HEINOUS MISCONDUCT BY A FEDERAL JUDGE.

8.

WHEN THE COURT SIGNED THE P.O. IN QUESTION ON AUGUST 8,1978 IT AUTOMATICALLY GRANTED THE DEFENDANTS JUDGMENTS FOR BOTH CASES NOS. C78-31-N & C78-47-N,AND YET,NO.C78-47-N HAD NOT EVEN BEEN DOCKETED ON JULY 26,1978. THE POINT HERE IS THAT THE COURT FALSELY ALLUDED TO A CONFERENCE ON JULY 26,1978 IN HIS P.O.SIGNED ON AUGUST 8,1978.

9.

SOME OF THE DEFENDANTS NEVER APPLIED FOR A PROTECTIVE ORDER,BUT THE COURT MADE THE FRAUDULENT P.O. APPLICABLE TO THEM AND SO ALL OF PRE-TRIAL DISCOVERY RIGHTS WERE DENIED BY THE COURT'S FRAUDULENT P.O.

10.

WITH CONSIDERATION GIVEN TO THE ABOVE DECLARATION OF FACTS,I AM OF THE OPINION THAT THE REASON WHY THE COURT SPENT NOVEMBER 20,1978 SHOUTING AT ME AT THE SO CALLED TRIAL WAS TO BENEFIT THE DEFENDANTS.

11.

WHEREFORE,THE COURT HAVING ALREADY GRANTED THE JUDGMENTS FOR BOTH ABOVE CAPTIONED CASES WHEN IT ENTERED THE FRAUDULENT P.O.ON AUGUST 8,1978,I KNOW THAT I CANNOT CHALLENGE A FRAUDULENT P.O. AND A DISHONEST JUDGE WITH A FINAL BRIEF AND SO FOR STATED REASONS I DECLINE

B.

THE COURT'S REQUEST FOR A FINAL BRIEF. SC-1

12.

WHEREFORE, I AM AWARE OF THE FACT THAT THE COURT CAN CITE FOR ME FOR CONTEMPT WHETHER MY CHARGES DECLARED IN THE FOREGOING OR TRUE OR FALSE, BUT BEFORE I GO TO FEDERAL PRISON FOR CRIMINAL CONTEMPT I WILL BE AFFORDED A PUBLIC TRIAL AND AN OPPORTUNITY TO FORCE THE COURT & DEFENDANTS TO PRODUCE THE ATTORNEY WHOM THEY CLAIMED REPRESENTED THIS CHEATED PRO SE IN JUDGE ALBERT HENDERSON'S COURT REVELANT TO CASES NOS. C78-31-N & C78-47-N.

13.

THE ABOVE STATEMENTS ARE MADE AS A DECLARATION OF FACTS UNDER THE PENALTY FOR MAKING A PERJURED STATEMENT TO A FEDERAL COURT.

James Patterson

JAMES E. PATTERSON, PRO SE
1004 VERNON STREET
LAGRANGE, GEORGIA 30240
[404] 882-8533

DATED: 11-21-78 ✓

C.

B-1

JAMES E. PATTERSON :
:
v. : CIVIL ACTION NO. C79-106N
:
HANS J. SCHACHT, et al :

B-1

ORDER

Defendant Theodore G. Frankel having moved the Court to hold Plaintiff James E. Patterson in Contempt of Court for violating the Court's Order and injunction of March 20, 1980 by filing on July 21, 1980 a new Complaint in the District Court styled Patterson v. Abernathy et al, Civil Action File No. C80-1236A, having further moved the Court to enforce its injunction by enjoining and quashing service of said Complaint, and the Court having considered that Motion and the Memorandum in Support thereof, .

It is hereby ORDERED, that Plaintiff James E. Patterson appear at the United States Courthouse; Atlanta, Georgia; Courtroom 221 Sept 3 on August 27, 1980 at 4:00 10:30 o'clock A.m. and show cause why he should not be held in Contempt of Court as prayed.

I did not MARK THRU- these lines. 11/25/80

It is further Ordered that the Complaint in Patterson v. Abernathy, C80-1236A shall not be served upon any Defendant pending further order by this Court.

This Order shall be communicated to the Clerk for the United States District Court for the Northern District of Georgia and the United States Marshal for the Northern District of Georgia.

So Ordered this 7 day of August, 1980.

[APPENDIX-# 5-PAGE # 35.]

Ernest Tidwell, Judge
United States District Court
For The Northern District of
Georgia, Atlanta Division

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta, Ga.
AUG 8 1980
JAMES E. PATTERSON, Clerk
By: Deputy Clerk

There are 9 defendants, and defendants FRANKEL and Hyman — filed the civil contempt motion. Judge Tidwell just did — right here my right to screaming for C.A. 79-106N. J.E.P. 11-25-80

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
9/2/80
BEN H. CARTER, Clerk
BY: Karen Jacobs
Deputy Clerk

JAMES E. PATTERSON

-vs-

HANS J. SCHACHT, et al

CIVIL ACTION
NO. C 79-106 N

A/A

ORDER

Defendant Theodore G. Frankel having moved the Court to hold Plaintiff James E. Patterson in Contempt of Court for violating the Court's Order and injunction of March 20, 1980, by filing on July 21, 1980 a new Complaint in the District Court styled Patterson v. Abernathy, et al, Civil Action File No. C80-1236A, having further moved the Court to enforce its injunction by enjoining and quashing service of said Complaint, and the Court having considered that Motion and the Memorandum in Support thereof, and the matter having been referred to Honorable Robert L. Vining, Jr., United States District Judge, Northern District of Georgia, for a show cause hearing in the matter, by Honorable G. Ernest Tidwell, United States District Judge, Northern District of Georgia, (2) now - need Ephelist to appear again

IT IS THEREFORE ORDERED that the show cause hearing date of September 3, 1980 at 4:00 o'clock p.m., be, and the same hereby is continued until further order of this Court.

This the 28th day of August, 1980.

"Did not appear as ordered?"

Robert L. Vining, Jr.
ROBERT L. VINING, JR.
UNITED STATES DISTRICT JUDGE

Judge Vining Canceled this Contempt trial date on the falsely Certified to the Fifth Circuit that I failed to appear and then Judge Hill ruled for the fifth that such misconduct did not disqualify Judge Vining.

FILED IN CLERK'S OFFICE
AND A TRUE COPY CERTIFIED, THIS
9/8/80
Ben H. Carter, Clerk
By: [signature]
Deputy Clerk

[APPENDIX #-C-PAGE #-30]

#B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

JAMES E. PATTERSON,

Plaintiff,

vs.

HANS J. SCHACHT, JOHN HINCHEY, NEIL GUNTER, WESLEY BOYD, both individually and in their official capacities as State of Georgia employees, THEODORE E. FRANKEL, individually and in his capacity as counsel for The Georgia Association of Educators, RALPH JOHNSON, individually and in his capacity as an employee of the Troup County Schools, OTIS J. ABERNATHY, both individually and in his capacity as Superintendent of Troup County Schools, KENNETH L. GORDON as counsel for Plaintiff, and Bonding Companies of all Defendants,

Defendants.

CIVIL ACTION

No. C 79-106 N

(1) well, Sir, since said order is not an "appealable order" why don't you grant me a Trial?

(2) "additionally", Judge, if your lie were true, you would have issued a bench warrant for my arrest and then tried me for criminal contempt. I should've been arrested or Tried.

ORDER

The plaintiff seeks leave to appeal in forma pauperis the order of August 8, 1980, in which he was directed to show cause why he should not be held in contempt. The August 8, 1980, order is not an appealable order, and the notice of appeal was filed more than thirty days after that order. (1) See. A Additionally, the plaintiff did not appear at the time or place ordered in the August 8 order. For these reasons, the court hereby certifies pursuant to Fifth Circuit Local Rule 8.3 that the appeal is frivolous and not taken in good faith, and the motion to proceed in forma pauperis is DENIED.

SO ORDERED, this 6th day of October, 1980.

Robert L. Vining, Jr.
ROBERT L. VINING, JR.
United States District Judge

(3) "additionally", Judge Vining wrote the order that canceled the August 8 order. See his order of 9/29/80! no. You aren't about to jail me for civil contempt and afford me the right to have you be found guilty of perjury for benefit of the Reporters.

FILED IN CLERK'S OFFICE
AND A TRUE COPY CERTIFIED, THIS
10/7/80
Ben H. Tarver, Clerk
By: Deputy Clerk

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

JAMES E. PATTERSON, :
:
Plaintiff, : CIVIL ACTION
: FILE NO. C-78-31N
v. - :
:
HANS-J. SCHACHT, ET AL., :
:
Defendants. :

You refuse to try me for civil contempt because you don't want this fraudulent Judge exposed. 5-17-81

Court "order" does not write "ET-AL.", as this or use word "defendants"

ORDER

TO-SMALL-SEE-"ORDER", ON OTHERS

Various Defendants have filed Motions for Protective Orders and the Plaintiff has responded with numerous pleadings in opposition to these Motions. A hearing was held on July 26, 1978 to hear arguments on these Motions, with all parties being represented by counsel, including the Plaintiff, pro se.

Judge Vining, you certified that none of my PLEADINGS had merit. SO, I ask you NOW to state the name of my LAWYER for this case.

The Defendants voluntarily agreed to:

1. Answer the Complaint;
2. Answer the Amended Complaint;
3. Respond to all outstanding Motions recognized under the Federal Rules of Civil Procedure;
4. Produce any and all documents in their possession at the United States District Courthouse in Newnan, Georgia at a time to be agreed upon by all parties; and
5. Make themselves available, through counsel, to confer with the Plaintiff with respect to any and all disputes regarding discovery.

The Plaintiff requested numerous documents which are referred to in pleadings in James E. Patterson v. Troup County Board of Education, et al. in the United States District Court for the Northern District of Georgia in the Newnan Division, Civil Action File No. 77-6-N.

APPENDIX-#-8-PAGE # 38.

DRAFTED-BY:- Jeffery Smith, attorney for the defendants (1)

CHECK, "ORDER": "V"- not Venue, no Code NO. on Paper

#2

no relief based on argument of counsel at the hearing for Defendants

Based on the outstanding Motions for Protective Orders, the response of the Plaintiff thereto, as well as the argument of counsel at the hearing on July 26, 1978, it is hereby ordered that: no counsel for this pro se - thus, no argument

1. The Defendants will within 20 days from the receipt of this Order file their answers to the Complaint and Amended Complaint, and respond to any outstanding Motions recognized under the Federal Rules of Civil Procedure. No response is required to other pleadings or documents filed to date by the Plaintiff;
2. Within 30 days from the receipt of this Order, all Defendants will produce any and all documents in their possession which relate to this litigation, said documents to be produced in the United States District Courthouse in Newnan, Georgia at a time mutually agreed upon by the parties;
3. The Clerk of Court for the Newnan Division will make available to the Plaintiff during normal business hours all pleadings in Civil Action File No. 77-6-N and permit the Plaintiff to make copies of any and all such pleadings, documents, or exhibits contained in that file at the Plaintiff's expense. The Clerk shall be present during the inspection of these documents by the Plaintiff; and
4. Those Defendants who previously provided legal services to the Plaintiff are not subject to any attorney-client privilege with respect to their ability to fully answer the allegations of the Complaint and Amended Complaint.

NO-CODE-# OR-PAGE-#

Accordingly, the Defendants are granted a Protective Order to the extent set forth above.

So ordered this the ✓ day of August, 1978.

Albert J. Henderson
Judge, United States District Court
for the Northern District of Georgia

"The defendants are granted - - - -:"
"TO-THE-EXTENT:" DRAFTED-BY-SMITH and submitted to the Court. Smith was told by the Judge:" write your own Protective order and submitted it-TO-THE Court:" HE-DID. THIS-is-it. the signed and dated copy is word for word as this COPY. So, indeed, the defendants did write their own Protection from a pro se.

the next copy is identical except had date + signature with "Jr"

there was no argument. Smith doesn't say that I had filed motions to compel discovery

" with all parties being represented by Counsel, including the Plaintiff, Pro Se:" that's too much-I-guess. who was my lawyer Judges Tidwell, Vining, Shoob and mogl.

IV you refused me a contempt trial because item no. III puts you out of Business.

NO-CODE-NUMBERS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

#4

JAMES E. PATTERSON,

Plaintiff,

v.

HANS-J. SCHACHT, ET AL.,

Defendants.

CIVIL ACTION
FILE NO. C-78-31N

FILED IN CLERK'S OFFICE

AUG - 4 1978

BEN H. CARTER, Clerk
By: Deputy Clerk

ORDER

Various Defendants have filed Motions for Protective Orders and the Plaintiff has responded with numerous pleadings in opposition to these Motions. A hearing was held on July 26, 1978 to hear arguments on these Motions, with all parties being represented by counsel, including the Plaintiff, pro se.

malfeasance in office to control a case with a fraudulent pre-trial order

The Defendants voluntarily agreed to:

1. Answer the Complaint; on July 26 - the Comp. was amended
2. Answer the Amended Complaint;
3. Respond to all outstanding Motions recognized under the Federal Rules of Civil Procedure;
4. Produce any and all documents in their possession at the United States District Courthouse in Newnan, Georgia at a time to be agreed upon by all parties; and
5. Make themselves available, through counsel, to confer with the Plaintiff with respect to any and all disputes regarding discovery.

The Plaintiff requested numerous documents which are referred to in pleadings in James E. Patterson v. Troup County Board of Education, et al. in the United States District Court for the Northern District of Georgia in the Newnan Division, Civil Action File No. 77-6-N.

HERE-IS-SMITH'S- PERSONALLY DRAFTED- P.O. SIGNED - and D ared by a federal judge.

APPENDIX-# 9-PAGE-# 41.

no Code II

Based on the outstanding Motions for Protective Orders, the response of the Plaintiff thereto, as well as the argument of counsel at the hearing on July 26, 1978, it is hereby ordered that: [no counsel argued for Patterson on July 26, 1978 so there was no such conference]

1. The Defendants will within 20 days from the receipt of this Order file their answers to the Complaint and Amended Complaint, and respond to any outstanding Motions recognized under the Federal Rules of Civil Procedure. No response is required to other pleadings or documents filed to date by the Plaintiff;
2. Within 30 days from the receipt of this Order, all Defendants will produce any and all documents in their possession which relate to this litigation, said documents to be produced in the United States District Courthouse in Newnan, Georgia at a time mutually agreed upon by the parties;
3. The Clerk of Court for the Newnan Division will make available to the Plaintiff during normal business hours all pleadings in Civil Action File No. 77-6-N and permit the Plaintiff to make copies of any and all such pleadings, documents, or exhibits contained in that file at the Plaintiff's expense. The Clerk shall be present during the inspection of these documents by the Plaintiff; and
4. Those Defendants who previously provided legal services to the Plaintiff are not subject to any attorney-client privilege with respect to their ability to fully answer the allegations of the Complaint and Amended Complaint.

It was "hereby ordered" (1) alone for Smith to draft a Protective order and submit it to the Court for signature. Hence claim in case no. C79-106N that the Court conspired with defendants by means of a fraudulent Protective order (P.O.) to stay case nos. C79-31N and C79-47-N BUT Tidwell ruled barred by res Judicata.

NB - Calls no. 2a for Court docs.

Accordingly, the Defendants are granted a Protective Order to the extent set forth above. Conspiracy by lying

So ordered this the 4 day of August, 1978.

malfeasance

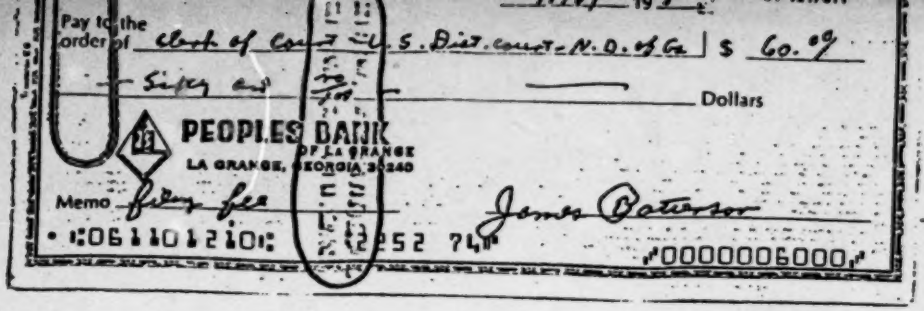
Albert J. Henderson
Judge, United States District Court
for the Northern District of Georgia

SMITH-TYPED NAME- NOT "Jr." so the Judge added "Jr." so this SIGNATURE would be correct and order valid.

Judge Henderson also made this fraudulent pre-trial order applicable to case no. C 78-47 and thus he helped the Defendants steal bail judgments in for C 78-31-A and C 78-47-A.

November 29, 1978

NO


Pay to the order of Clerk of Court - U.S. Dist. Court - N.D. of Ga. $ 60.00
Sixty and 00/100 Dollars
PEOPLES BANK OF LA GRANGE
LA GRANGE, GEORGIA 30240
Memo filing fee
James Patterson
:061101210: 252 74
"0000006000"

[APPENDIX # 10-PAGE # 44.]

EXHIBIT-#7

well. Judge the check was honored and Exhibit no. 7 shows that you ruled we had the right to proceed before either a U.S. magistrate or federal judge with case no. C 80-80-1236-A. So you resorted to perjury to find Hoffman time to file an ex parte motion to grant movant's demand on the defendants. no one was over under your jurisdiction because of C 80-1236-A.

federal law 6 d(c) and 18 USC # 401 required a trial to determine if filing C.A. 80-1236-A violated a suppression order tacked on to dismissal order for C.A. 79-106 N and if you had had legal counsel you would have complied with federal law before you resorted to perjury to dismiss C.A. No. 80-1236-A.

8-11-80

CERTIFICATE OF SERVICE

I, JAMES E. PATTERSON, HEREBY CERTIFY THAT I HAVE THIS 13TH DAY OF MAY 1981 MAILED A COPY OF THE ATTACHED JURISDICTIONAL STATEMENT AND ALL OTHER ATTACHES EXHIBITS TO COUNSEL FOR THE DEFENDANTS WHO ARE AS FOLLOWS:

MR. JOHN TAYLOR [ABERNATHY, LEWIS, JOHNSON]
ATTORNEY AT LAW
P.O. BOX 1027
LAGRANGE, GEORGIA 30240

MR. STEVEN FANNING [GORDON]
ATTORNEY AT LAW
P.O. BOX 668
NEWNAN, GEORGIA 30263

MR. WILLIAM E. HOFFMAN, JR. (FRANKEL, SMITH,
ATTORNEY-AT-LAW (HOFFMAN)
2200 FIRST NATIONAL BANK TOWER
ATLANTA, GEORGIA 30383

MS. LINDA BIRREL
ASSISTANT ATTORNEY GENERAL (SCHACHT, HINCHEY
132 STATE JUDICAL BLDG. (BOYD, GUNTER)
ATLANTA, GEORGIA 30343

MR. ROBERT CASTELLANI (U.S. DISTRICT COURT-
U.S. ATTORNEY (NORTHERN DISTRICT OF
SUITE # 1800 (GEORGIA)
RUSSELL FEDERAL BLDG.
ATLANTA, GEORGIA 30303

James Patterson
JAMES E. PATTERSON, PRO SE
1004 VERNON STREET
LAGRANGE, GEORGIA 30240
[404] 882-8533

JUDGE ALBERT J.HENDERSON,JR.
UNITED STATES DISTRICT COURT
56 FORSYTH STREET,N.W.
ATLANTA,GEORGIA 30303

RE:C.A.NO.78-31-N
C.A.NO.78-47-N

Dear Judge Henderson:

While this Pro Se realizes that anything that he might have to say in protest of the court's abuse of him in chambers on July 26, 1978 will have no influence on the thinking of your court,I still want you to know that you were a disgusting representative of my government to me as you shielded your mouth from my view while you whispered to counsel for the defendants.

You invited me to your chambers on July 26,1978 for a discovery conference.Then you proceeded to shield you mouth from my view as you conducted the conference with only counsel for the defendants permitted by you to participate in that conference.

You repeatedly ordered me to "remain silent" every time I made an effort to argued against your whispered directives to counsel for the defendants. Why invite me to a "conference"if you never intended to let me participate in said "conference?"

How insulting for you to order me to"remain silent" when you -- whispered to counsel for the defendants with your mouth shielded from my view-"draft your own Protective Order and submit it to the court for signature" If I had been represented by counsel you would not have abused him as you did this Pro Se.

Your corrupt conduct made it obvious to me that you had already determined that the defendants would be granted the judgments for the above -entitled cases.

I should like for you,a federal judge,to know that I felt that my government as represented to me by you cheated me and treated me with total disrespect.

I shall never forget the scene of a federal judge in conference with five defendant counselors and this pro se shielding his mouth from my view with his right hand as he stretched forward and leaned over his desk to whisper to the defense counselors"CONSIDER YOURSELF UNDER A PROTECTIVE ORDER"

This Pro Se can't understand why you changed your directive from "draft and submit----" to "consider yourself under a protective order"all in one so called "conference?"

I HAVE BEEN TREATED SHABBILY AND INSULTED BY YOU,A REPRESENTATIVE OF MY GOVERNMENT TO ME.The right"to be secure in his own person" left me with a federal judge in my presence whispering to my op--- position.

I HAVE ALSO BEEN DEEPLY HURT AND DAMAGED IN THIS COMMUNITY BECAUSE A DISHONEST SCHOOL SUPERINTENDENT DESTROYED MY MARRIAGE AND LIED TO

me about a job directive,and when his LIE got him in "hot water" he determined that he would make me the figure of a public scandal. Tax money got my attorney to co-operate with him.Tax money caused "my" attorney to help convict me as "a liar under oath"revelant to letters which I have never seen and the hearing record proves as much.

Since Supt. Abernathy had clearly demonstrated that no lawyer -- would ever represent me in my right to justice,I knew that he could not buy me and that I knew the details of his conspiracies against me,and so I determined to represent myself.

Judge Henderson has now given me a clear demonstration of what to expect in my efforts for justice as a pro se in federal court.

YES,YOUR HONOR,I know THE Feeling of being deeply hurt and of being treated shabbily by my government as represented to me by you. I know the deep hurt caused by being terminated in ABSENTIA,and that is a"feeling" which this court compounded on July 26,1978 as the judge conducted a whispering discovery conference with the counsel for the defendants while this pro se was ordered to "remain silent."

Your HONOR,one barrier between me and justice which I cannot overcome is that of a dishonest judge.

Now that I've had my FIRST AMENDMENT say about your shabby abuse of this PRO SE you may cite me for contempt of court if that be your your desire.

I cannot see any need to try the captioned cases since your dishonest conduct with counsel for the defendants makes it all too obvious of the conspiracy between you and them.

RESPECTFULLY SUBMITTED,

JAMES E. PATTERSON, PRO SE
1004 Vernon Street
LaGrange,Georgia 30240
404/882-8533

DATED: 8/8/78

Subscribed and sworn to before
me this 8th day of August 1978.

Notary Public

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

DO NOT PUBLISH

NO. 77-3097
Summary Calendar*

NO. C77-6-N in Judge Henderson's District Court. See Questions presented pertinent to NO. C77-6-N

JAMES E. PATTERSON,

Plaintiff-Appellant,

versus

TROUP COUNTY BOARD OF EDUCATION, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court for the Northern District of Georgia

(April 17, 1978)

BROWNBERRY, GODBOLD AND RUBIN, CIRCUIT JUDGES

AFFIRMED. See Local Rule 21.[1]

Mr. Justice Burger, Please be advised that this court order is "the" valid order for NO. 77-3097. appealed in forma pauperis. Judgment entered on April 17, 1978. JB

EXHIBIT #8

APPENDIX-13-PAGE-# 48

*Rule 18, 5 Cir., see Isbell Enterprises, Inc. v. Citizens Casualty Co. of New York, et al., 5 Cir. 1970, 431 F.2d 409

[1] See N.L.R.B. v. Amalgamated Clothing Workers of America, 5 Cir. 1970, 430 F.2d 966

FOR THE FIFTH CIRCUIT

DO NOT PUBLISH

NO. 77-3097
Summary Calendar*

NO. C77-6-N

JAMES E. PATTERSON,

Plaintiff-Appellant,

versus

TROUP COUNTY BOARD OF EDUCATION, ET AL.,

Defendants-Appellees.

EXHIBIT #20

Appeal from the United States District Court for the Northern District of Georgia

(April 17, 1978)

BEFORE THORNBERRY, GODBOLD AND RUBIN, CIRCUIT JUDGES

PER CURIAM: AFFIRMED. See Local Rule 21. 1/

Costs are taxed against plaintiff-appellant. (11)

I have a copy without this

Mr Justice Burger, Please be advised that this is a fraudulent court order sent to me by fed. app. court employee - June 1979. I did not request a copy of order no. 77-3097, they sent it on their initiative, then letter to the guilty parties asking for amt. of costs (11) FRAUD

9/21/79 JEP

*Rule 18, 5 Cir., see Isbell Enterprises, Inc. v. Citizens Casualty Co. of New York, et al., 5 Cir. 1970, 431 F.2d 409

1/ See N.L.R.B. v. Amalgamated Clothing Workers of America, 5 Cir. 1970, 430 F.2d 966

ISSUED AS MANDATE: MAY - 9 1978

1004 VERNON STREET
LAGRANGE, GEORGIA 30240
JULY 14, 1979

Telephone
42 U.S.C.A. # 1986
Violation

U.S. ATTORNEY
U.S. COURTHOUSE
NEW ORLEANS, LOUISIANA 70130

DEAR SIR;

I AM SURE THAT I CAN SPEAK FOR MANY CITIZENS OF THESE UNITED STATES AND EXPRESS MY COMPLETE DISGUST WITH THE DOUBLE STANDARD OF JUSTICE AVAILABLE "DOWN AT THE U.S. COURTROOM."

WHEN FEDERAL APPELLATE COURT OFFICERS INFEST THE CLERK'S OFFICE WITH DISHONEST DEPUTY CLERKS WHO WILL ISSUE FOR A PRICE A FRAUDULENT COURT ORDER IN THE NAMES OF THREE FEDERAL JUDGES FOR THE BENEFIT OF THE DEFENDANTS, AS IN THIS CASE, HELPING THOSE FIVE DEFENDANT LAWYERS INDUCE THIS PRO SE TO NOT ENTERTAIN ANY THOUGHT OF APPEALING FROM THE DISTRICT COURT THEY PROVE AT LEAST TWO FACTS. FIRST, IF THE APPEAL IS ...-EFFECT IT WILL BE TO THE ADVERSE OF THE DEFENDANTS. SECONDLY, THEY AND THE COURT CLERKS DEMONSTRATE ONE WAY TO "OBSTRUCT JUSTICE."

JUST BECAUSE THE DISHONEST COURT OFFICERS USED THEIR FEDERAL EMPLOYMENT POSITIONS TO INTIMIDATE, HARASS, AND CAUSE A PRO SE MENTAL DURESS, A FEDERAL DISTRICT JUDGE SITS ON THE FRAUDULENT CONDUCT. WHEREAS, IF THE COURT OFFICERS HAD CONDUCTED SUCH AN EFFORT AGAINST A CLIENT WITH COUNSEL HE, THE JUDGE, WOULD HAVE FILED A COMPLAINT WITH YOUR OFFICE LONG AGO.

WHEN A PRO SE LEARNS FROM FRAUDULENT COURT ORDERS AND SUBORNED PERJURY THAT THE APPELLATE COURT CLERK'S OFFICE AND JUDICAL SUPPORT ARE DISHONEST, BIASED, PARTIAL. PREJUDICED WITH MALICE, HE'D BE A DAMN FOOL TO FILE HIS APPEAL PAPERS FOR RULINGS WITH SUCH FRAUDULENT OFFICERS.

IT WAS A LESSON WHICH I LEARNED FROM COLLEGE POLITICAL SCIENCE COURSES THAT INFORMED ME THAT THE U.S. JUSTICE DEPARTMENT IS RESPONSIBLE FOR THE INTEGRITY OF THE FEDERAL COURTS. IF I FORGED STATEMENTS ON A COURT ORDER AND SHOWED THAT SAME WERE THE ORDERS OF JUDGES, THORNBERRY, RUBIN AND GOLDBOLD AND TRIED TO USE THAT FRAUD AS EVIDENCE IN A FEDERAL COURT AS EVIDENCE THE "OTHER STANDARD OF JUSTICE" WOULD CONFINE ME TO A U.S. PRISON.

WHEN ONE KNOWS FOR A FACT THAT COURT CLERKS ARE DISHONEST AND PARTIAL SUCH INFORMATION IS AN "OBSTRUCTION TO JUSTICE" I AM AWARE OF THE FACT THAT I WILL BE ADVISED THAT I SHOULD EMPLOY AN ATTORNEY AND FILE A COMPLAINT RELEVANT TO THE FRAUDULENT COURT OFFICERS.

WHAT I AM NOT AWARE OF IS WHAT TYPE OF CRIME DOES A FEDERAL COURT OFFICE HAVE TO COMMIT BEFORE THE U.S. ATTORNEY BECOMES RESPONSIBLE TO THE PUBLIC FOR THE FEDERAL COURT OFFICER OR OFFICERS WHO HAVE CORRUPTED THE FEDERAL JUDICARY?

PLEASE BE ADVISE, THEY ARE GOING TO COURT IN A COMPLAINT ENTITLED; PATTERS VS; U.S. DEPARTMENT OF JUSTICE, NEW ORLEANS, LA. > trial- but Judge Tiswell dismissed with prejudice

I AM CONFIDENT THAT A CAUSE OF ACTION IN SUCH A COMPLAINT CAN BE SUPPORTI ON THE GROUNDS THAT I AM NOT REQUIRED BY THE CONSTITUTION TO TRY AND EFFE AN APPEAL WITH KNOWN DISHONEST FEDERAL COURT CLERKS AND JUDICAL SUPPORT.

RESPECTFULLY SUBMITTED,

James Patterson

JAMES E. PATTERSON, PRO SE

CC: MR. PHILLIP HYMANN ✓
U.S. DEPT. OF JUSTICE
CRIMINAL DIVISION
ENCL. VALID ORDER
FRAUDULENT ORDER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
Newnan DIVISION

ABANDONED -ON- 5/20/80

James C. Patterson

Plaintiff

Vs.

Hans J. Schacht, et al

Defendant

#5
#5

CIVIL ACTION NO. 79-106N

NOW, WE HAVE 2 RULINGS OF THE COURT PER 79-106N OR NO MTN. THAT THE COURT HAS TOLD THAT DEFENDANT MUST MEET WITH THIS PARTY TO SEEK A SETTLEMENT OF CLAIM IN C79-106N WITHIN 90 DAYS.

??

ORDER OF THE COURT

BY DIRECTION OF THE HONORABLE G. ERNEST TIDWELL

Parties are hereby directed that within 90 days of the date of this notice, but not beyond the current discovery deadline, the Court requires a status report from the attorneys for each party. See paragraph no. 8.

The status report shall contain the following information:

1. A brief description of the type of case
2. A very brief summary of the contentions and issues involved
3. A description of any jurisdictional or venue problems
4. A list of parties that have not been served, and an explanation of why each party has not been served
5. A summary of discovery -
   (a) Completed
   (b) Contemplated
6. Whether the trial is jury or non-jury and the estimated length of trial
7. Are there any unresolved (a) existing motions (b) do the parties contemplate the filing of any additional motions, and if so, a description of same.
8. Prior to making the status report, counsel are required to hold a good-faith settlement conference (in person and with lead counsel for all parties) and the status report shall give a detailed report of said settlement conference.

F.R.C.P. Rule 69

Dated this 5th day of March, 1980.

BEN H. CARTER, CLERK

By: Karen Gardner
Karen Gardner
Courtroom Deputy Clerk
for Judge Tidwell

#5
Judge Tidwell issued ordered case no. C79-106-N sealed by Consent Judgment; the defendants refused to be dismissed 2-11-81

[APPENDIX-16-PAGE # 52:]

April 8, 1976

Mr. James E. Patterson
Visiting Teacher
Troup County Schools
Troup High School
LaGrange, Georgia 30240

Dear Mr. Patterson:

As provided by Section 32-2103c of the Code of Georgia of 1933, as amended (Georgia Laws 1975, p. 360-364) you are hereby notified that as Superintendent of the Troup County School System, I have tentatively decided not to renew your contract for the school year 1976-77, beginning September, 1976.

Sincerely yours,

Otis J. Abernathy
Superintendent
Troup County Schools

OJA:jss
bc: Mr. James R. Lewis

at the 3 mos. "trial" period for the four of the master's degree program for Black teachers

THE UNITED STATES SUPREME COURT IS ADVISED THAT APPELLANT BOUGHT A COPY OF THIS LETTER FROM THE CLERK OF COURT. WE HAVE STATED THAT THE COMMISSION'S RECORD OF THIS MATTER WAS FILE NO. C77-6-N IN THE U.S. DISTRICT COURT-NORTHERN DISTRICT OF GEORGIA.

WE DIRECT YOU ATTENTION TO THE FACT THAT ABERNATHY SENT A "BC" TO HIS LAWYER BECAUSE LEWIS KNEW THAT I WAS ENTITLED TO A HEARING BEFORE MY CONTRACT OF EMPLOYMENT WAS TERMINATED AND THUS IF HE HAD BEEN ON WRITTEN RECORD ADVISING ABERNATHY TO DENY ME DUE PROCESS MR. LEWIS WOULD HAVE BEEN IN TROUBLE WITH THE GA. BAR.

JcPatterson
5-10-81

OFFICE OF

Troup County Board of Education

OTIS J. ABERNATHY, SUPERINTENDENT

LaGrange, Georgia 30240

JAMES E. PATTERSON
VISITING TEACHER

April 8,1976

Mr. Otis Abernathy,Superintendent
Troup County Schools
Court House Annex
LaGrange,Ga.

Dear Sir:

I am in receipt of your letter under date of April 8,1976 in which you notified me that my contract would not be renewed for the school year of 1976-1977.

This is to request that I be given a hearing before the Troup County Bd. Of Education ,stating the charges against me as required under the Fair Dismall Law,Section # 3

"as required"
denied.

Sincerely,
James E. Patterson
James E.Patterson

cc: Mr. Kyle Smith
Field Director
GAE

Senator Render Hill

THIS LETTER WAS ALSO BOUGHT FROM THE CLERK OF COURT. I ASKED ABERNATHY FOR A DUE PROCESS HEARING BEFORE THE BOARD VOTED ON APRIL 12,1976 TO TERMINATE MY "CONTRACT OF EMPLOYMENT",BUT MY REQUEST FOR DUE PROCESS UNDER GA. LAWS WAS IGNORED AND DENIED.

J.E.Patterson
5-10-81

APPENDIX-18-PAGE # 54.

35.

301